

FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1185637-0

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EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

DATE 09-19-2011

TO : Mr. E. S. Miller

DATE: 5/13/73

FROM : Mr. T. J. Smith

SUBJECT: SENSITIVE COVERAGE PLACED AT THE
REQUEST OF THE WHITE HOUSE

JUNE

- 1-Mr. Eardley
- 1-Mr. Felt
- 1-Mr. E.S. Miller
- 1-Mr. Walters
- 1-Mr. Wannall
- 1-Mr. T.J. Smith
- Mr. Cleveland
- Mr. Conrad
- Mr. Gebhardt
- Mr. Jenkins
- Mr. Marshall
- Mr. Miller, E.S.
- Mr. Soyars
- Mr. Thompson
- Mr. Walters
- Tele. Room
- Mr. Baise
- Mr. Barnes
- Mr. Bowers
- Mr. Herington
- Mr. Conmy
- Mr. Mintz
- Mr. Eardley
- Mrs. Hogan

Pursuant to instructions of the Acting Director, I met him at 11:00 AM on 5/12/73 in the office of Mr. Leonard Garment at room 128 of the Executive Office Building. We met Mr. Fred Buzhardt who took us to a room with a vault and turned over to us two sealed boxes which we determined to be official records of the FBI which had been in the protective custody of former Assistant to the Director William C. Sullivan prior to his retirement in October, 1971.

Mr. Buzhardt said that the records should be examined and that a receipt describing them should be prepared and signed by me before they were removed from the vault. I then proceeded to examine the records and make an inventory in the form of a receipt. Each box was inventoried separately and a copy of the receipt prepared by me is attached for information.

I finished the inventory at about 2:30 PM and Mr. Garment then looked over the inventory receipt and I signed out of the vault with the two boxes of records at 2:45 PM. A Secret Service Agent who had remained in the vault area while the records were being inventoried drove me to the Federal Triangle Building where the Intelligence Division is located. The records are presently being maintained under secure conditions in your office.

The two boxes contain the original logs of intercepts of the various electronic surveillances operated; the original, signed letters to the Attorney General, each signed by him, requesting authorization to install the electronic surveillances; Original letters to President Nixon, Dr. Kissinger, Mr. Haldeman, and Mr. Ehrlichman reporting on the results of the electronic surveillances; the FBI yellow file copies on the above-mentioned letters; copies of letters to the Attorney General advising of discontinuances of the electronic surveillances; cover memoranda relating to letters to the Attorney General, The President, Dr. Kissinger, Mr. Haldeman, and Mr. Ehrlichman; miscellaneous other correspondence, including

information. and general background

Enclosures

TJS:ts

(7)

JUN 4 1973

ROUTE IN ENVELOPE

TOP SECRET

MAY 29 1973

Original impounded by court order. See memo in 63-16062-13

Classified by 6855 DMJ/ell
Exempt from GDS Category 3
Date of Declassification Indefinite

ENCLOSURE

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REC

65-75085-15

5-TJS

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A preliminary analysis of the contents of the two boxes of material has been made, it being noted that an in-depth study of the material would probably require several weeks. The following is a summary of that analysis:

It appears that the project of placing electronic surveillance at the request of the White House had its beginning in a telephone call to Mr. J. Edgar Hoover on 5/9/69 from Dr. Henry A. Kissinger, National Security Adviser to the President. Dr. Kissinger advised of a story on the front page of the New York Times by William Beecher was extraordinarily damaging and used secret information. Dr. Kissinger asked Mr. Hoover if he could make a major effort to find out where the information came from. Mr. Hoover agreed to see what could be done.

Dr. Kissinger called later the same day and referred to two other articles by Beecher within the previous ten days and that the three stories may be tied together. Dr. Kissinger told Mr. Hoover this matter had top priority.

Mr. Hoover subsequently called Dr. Kissinger and told him that it was the conclusion of contacts we had made that information for the three articles could have come and probably did from a staff member of the National Security Council. Mr. Hoover named (Morton) Halperin as a possible suspect, noting that he was then a staff member of the National Security Council. He also gave Dr. Kissinger the name of [redacted] Systems [redacted] in the Defense Department, and apparently an associate of Halperin, and said that Halperin and [redacted] [redacted] and considered him a part of the Harvard clique.

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Dr. Kissinger's calls were then followed up by a visit by then Colonel Alexander M. Haig, of Dr. Kissinger's staff, to the office of Mr. W.C. Sullivan. Colonel Haig made a request for electronic surveillance on four individuals and he said the request was being made on "the highest authority" and involved a matter of most grave and serious consequence to our national security. He also said that it was so sensitive that it demanded handling on a need-to-know basis with no record maintained. He said it would be desirable to have the matter handled without going to the Department. The request was referred by letter to the Attorney General dated 5/12/69, and the Attorney General signed the approval. This request named Daniel Ira Davidson; Morton H. Halperin; Colonel Robert Pursley; and Helmut Sonnenfeldt. The letter contained no rationale other than that shown above.

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The records reveal that all of the special White House-requested electronic surveillance was discontinued on 2/10/71 and at that time nine were being operated. They are listed below with the dates on which approval was initially given by the Attorney General:

Winston Lord - Approved 5/13/70
Henry Brandon - Approved 5/29/69
William Beecher - Approved 5/4/70
Morton Halperin - Approved 5/12/69
William Anthony Lake - Approved 5/13/70
Ambassador Richard F. Pedersen - Approved 5/4/70
Ambassador William H. Sullivan - Approved 10/19/70
General Robert E. Pursley - Approved last 5/4/70
Helmut Sonnenfeldt - Approved last 10/19/70

It is to be noted that of the above list, electronic surveillance had been installed and then discontinued on then Colonel Robert E. Pursley and Helmut Sonnenfeldt. Pursley and Sonnenfeldt were included in the first authorized on 5/12/69. Pursley was discontinued 5/27/69 and reinstituted 5/4/70. Sonnenfeldt was discontinued 6/20/69 and re-instituted 10/19/70.

It is noted also that the surveillance on Halperin was the only one which continued from the inception to the end of the special project. Two newsmen were still being covered at the time of discontinuance, Henry Brandon and William Beecher.

The following is a complete list by date order of all the individuals on whom electronic surveillance was placed at the request of the White House:

Daniel Ira Davidson, National Security Council 5/12/69 -
9/15/69
Morton H. Halperin, National Security Council 5/12/69 -
2/10/71
Col. Robert E. Pursley, Military Aide to
Secretary Laird 5/12/69 - 5/27/69
5/4/70 - 2/10/71
Helmut Sonnenfeldt, National Security Council 5/12/69 -
10/19/70 to
2/10/71
Richard Lee Sneider, National Security Council 5/20/69 -
6/20/69

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Richard M. Moose, National Security Council 5/20/69 - 8/20/69 -
Henry Brandon, London Sunday Times 5/29/69 - 2/10/71
Hedrick L. Smith, New York Times 6/4/69 - 8/31/69
John Patrick Sears, Ehrlichman's Office 7/23/69 - 10/2/69
William L. Safire, White House staff 8/4/69 - 9/15/69
Marvin Kalb, CBS Correspondent 9/10/69 - 11/4/69
William Beecher, New York Times 5/4/70 - 2/10/71
Ambassador Richard F. Pederson, State Department 5/4/70 - 2/10/71
Ambassador William H. Sullivan, State Department 5/4/70 - 2/10/71
Winston Lord, National Security Council 5/13/70 - 2/10/71
William Anthony Lake, National Security Council 5/13/70 - 2/10/71
Jamie W. McLane, White House staff 12/14/70 - 1/27/71

Examination of the original letters to the White House reporting on results of the various electronic surveillances maintained during the project reveals the following:

There were 37 letters to Dr. Kissinger dating from 5/13/69 to 5/11/70. There were 34 letters to the President dating from 7/10/69 to 5/12/70. There were 52 letters to Mr. H.R. Haldeman dated from 7/10/69 to 2/10/71. There were 15 letters to Mr. Ehrlichman dating from 9/22/69 to 7/25/69, and these all related to John Patrick Sears, who was apparently an assistant legal counsel on Ehrlichman's staff. In addition to electronic surveillance on Sears, the records reveal that the FBI also conducted a physical surveillance on Sears.

In connection with the surveillance of Sears, the records reveal that electronic and physical coverage was brought about when the Attorney General called and said that the President had ordered him to tell the Director he wanted a 24-hour surveillance and a tap on Sears, and that we should report the results of the surveillance and tap to Ehrlichman. In signing the written authorization on this wiretap, the Attorney General wrote in his own handwriting "Higher authority has requested that this be done immediately for use prior to Thursday."

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It is to be noted that in addition to the Sears coverage, the Attorney General also called and arranged for electronic surveillance of Marvin Kalb, CBS Correspondent. The Attorney General said that the President wanted immediate coverage on. He also instructed that results should go only to the Attorney General and H.R. Haldeman. Letters written went to Dr. Kissinger, however. In this case, as in all of the others, the Attorney General personally signed the written approval for the Kalb coverage.

Most of the electronic surveillances were instituted at the request of then Colonel Alexander Haig, who said that the coverage was being requested on the highest authority. Memoranda initially stated that Haig stressed that it was a matter of most grave and serious consequence to our national security, and no other rationale was given. There appeared to be an understanding that the coverage in each instance was based on the original conversations Mr. Hoover had with Dr. Kissinger concerning the serious and damaging leaks of information to the news media.

On occasion some specific rationale was given by Haig. In connection with the coverage of William Beecher, the New York Times correspondent, the rationale given was related to a serious leak concerning U. S. involvement in Cambodia. Haig said in this instance that the President had called him regarding a serious security violation involving a leak by William Beecher concerning the Cambodian situation. Haig said that this leak had been nailed down to "a couple of people" and he requested coverage on Beecher, General Robert E. Pursley, Ambassadors Richard F. Pedersen and William H. Sullivan. He also requested coverage on both residence and office of each, the first time the office was covered.

With reference to the coverage on William L. Safire, the rationale used by Colonel Haig was that the coverage on Henry Brandon revealed that Brandon and Safire were friends and that Safire told Brandon what would be in a speech by the President.

In another instance the cover memorandum to the letter requesting Attorney General approval on the Hedrick L. Smith coverage, said that Dr. Kissinger requested the coverage because Smith had been in contact with individuals on whom we had electronic surveillance coverage in the case.

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(S) The request to re-institute coverage on Helmut Sonnenfeldt in October, 1970 after it had been discontinued, was made to ^{FBI 9788} Mr. Hoover by H. R. Haldeman. Rationale given by Haldeman was vague; that they had some concern about Sonnenfeldt. [Apparently through some other coverage, [redacted] someone talked to an individual on the National Security Council and Haldeman implied that this may have been Sonnenfeldt (S)]

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The records contain hundreds of pages of logs of transcripts of intercepts over the period the project was in operation. Complete review of all these logs would require an enormous amount of time. However, a preliminary review has been made of the letters to the President and members of his staff summarizing the results of the electronic surveillances and some examples of the material developed from the coverage are set forth below. It must be borne in mind that the significance of many of intercepts is not known to us. Only those familiar with U. S. foreign policy plans and considerations would be competent to determine the sensitivity of much of the material. Many of the intercepts related to foreign policy discussions and may or may not have been personal or public in nature.

It is to be noted that Dr. Kissinger accompanied Colonel Haig to Mr. Sullivan's office on 5/20/69 shortly after the coverage began, to read all the logs prepared to date. After reading the logs Dr. Kissinger said, "it is clear that I don't have anybody in my office that I can trust except Colonel Haig." He said that what he was learning as a result of the coverage was extremely helpful to him while at the same time very disturbing.

During coverage of Henry Brandon in July, 1969, [redacted]

[redacted]

OTHER

Sealed pursuant to U.S. Court Order

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OTHER

Sealed pursuant to U.S. Court Order

One intercept disclosed that

[REDACTED]

[REDACTED]

(U)

[REDACTED]

During a discussion between

[REDACTED]

[REDACTED]

During one intercept

[REDACTED]

[REDACTED]

[REDACTED]

In a preliminary review of the various summaries furnished to the White House, nothing was found which would indicate that a violation of Federal law was determined from the electronic surveillance coverage, nor was there any specific instance of information being leaked in a surreptitious manner to unauthorized.

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OTHER

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Order~~SECRET~~

pg 8 of serial 15

[REDACTED]

Various of the White House personnel were often in contact with newspaper men, and some were involved in close personal relationships with newsmen.

With specific respect to any monitoring of [REDACTED] a review of the logs of the [REDACTED] electronic surveillance revealed [REDACTED] national security electronic surveillance. There is attached hereto a rough draft summary of the [REDACTED] intercepts. It is to be noted that [REDACTED]

[REDACTED]

There is one folder in the material bearing the code word "CATO." This has to do with Joseph Kraft, the syndicated columnist. Nothing in the folder suggested that coverage of Kraft had been requested by the White House or anyone. However, a number of personal letters marked "~~Top Secret~~ - Do Not File" addressed to Mr. Hoover suggests that Mr. Hoover was aware of the "CATO" project. In essence, Joe Kraft apparently made a European trip in 1969 and someone desired electronic coverage of him while he was abroad. Sullivan made a special trip to [REDACTED]

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[REDACTED] There are logs indicating that microphone coverage was instituted and reported through the Legal Attache. There are no tickler or file copies of any summary memoranda to indicate that the results of the coverage on Kraft were ever furnished to anyone but Mr. Hoover. (U) ~~(S)~~ FBI 9788

For the time being all of these records are being maintained under secure conditions in Intelligence Division space. We will begin immediately to integrate the records into our regular "June" files and to prepare appropriate general and special electronic surveillance indices so that the integrity of FBI records will be restored.

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ACTION:

For information.

From

EM

Good

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OTHER

Sealed pursuant to U.S. Court Order

Saturday, August 30, 1969 - Outgoing call from residence.
9:25 am.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE

6/24/81

BY

2842 m/jw/pj/de

ENCLOSURE

12-16-82

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OTHER

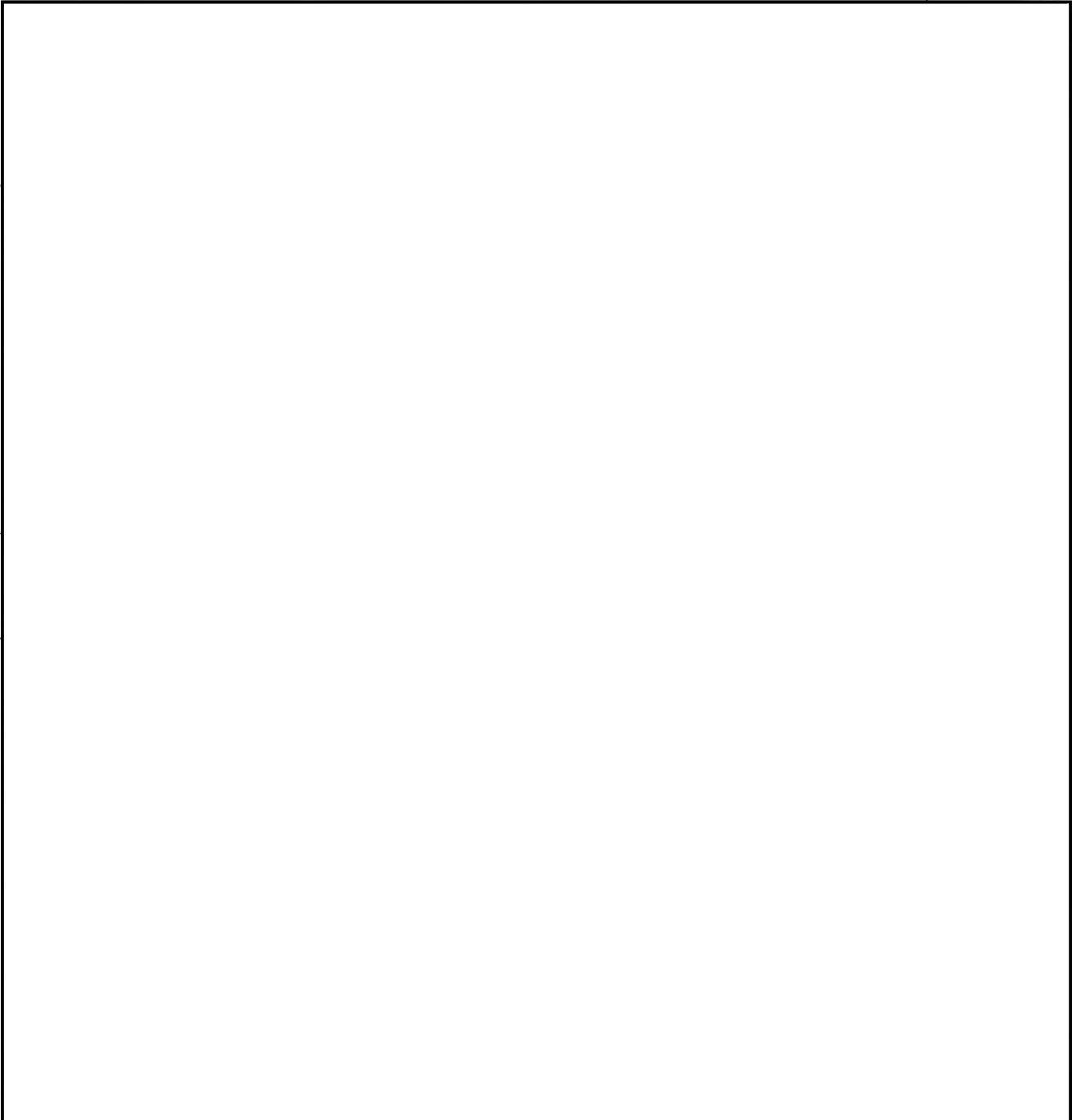
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(continued)



August 30, 1969 - Outgoing call from [redacted] residence.
3:05 pm.

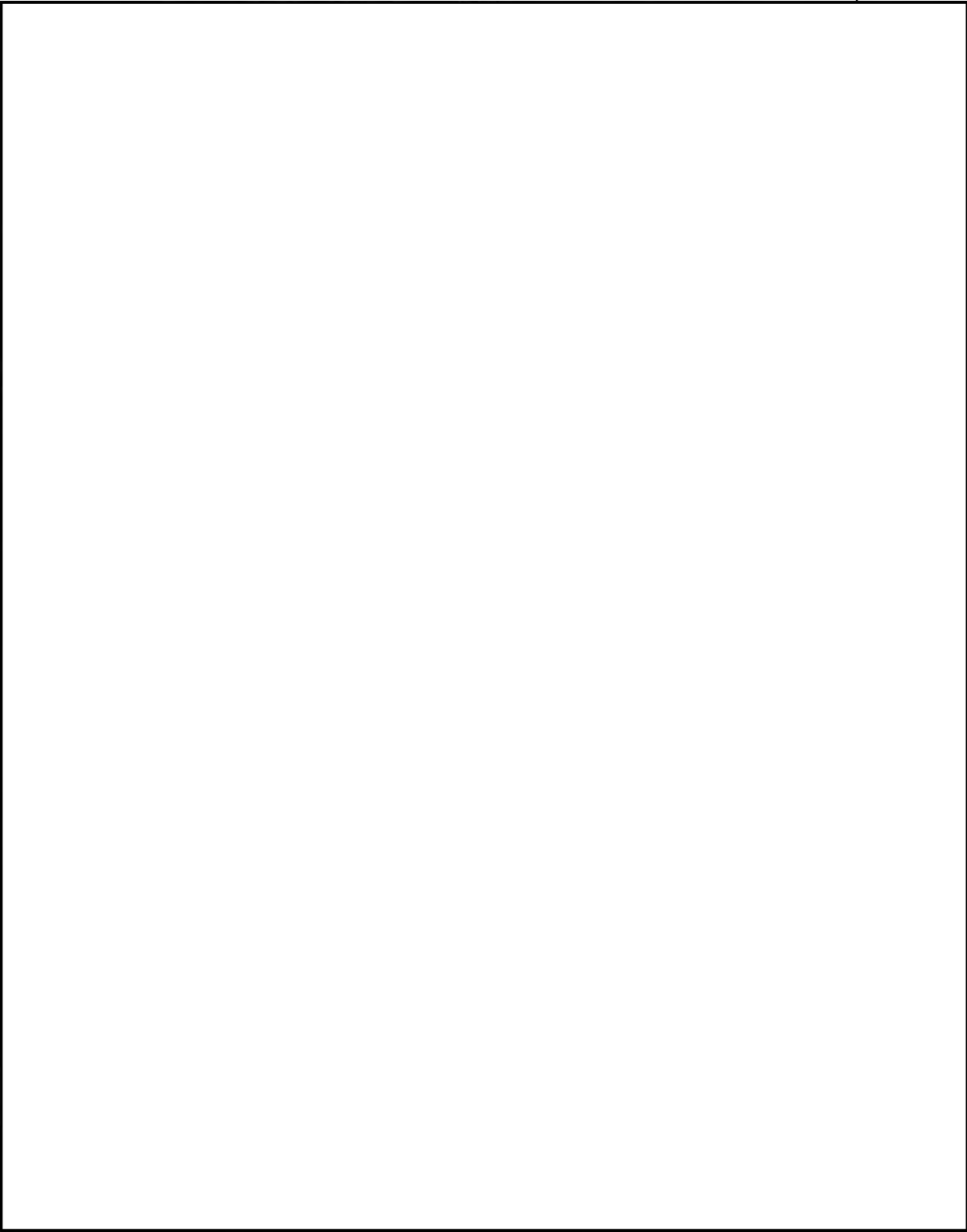


OTHER

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March 25, 1970

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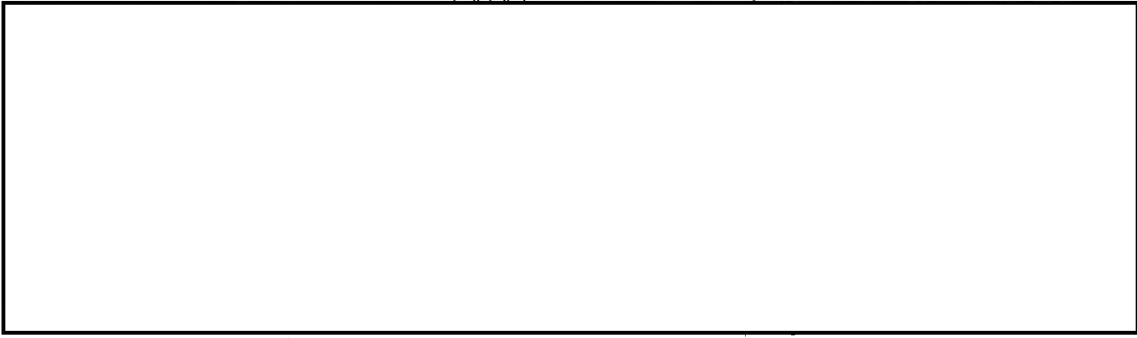


OTHER

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Order



OTHER

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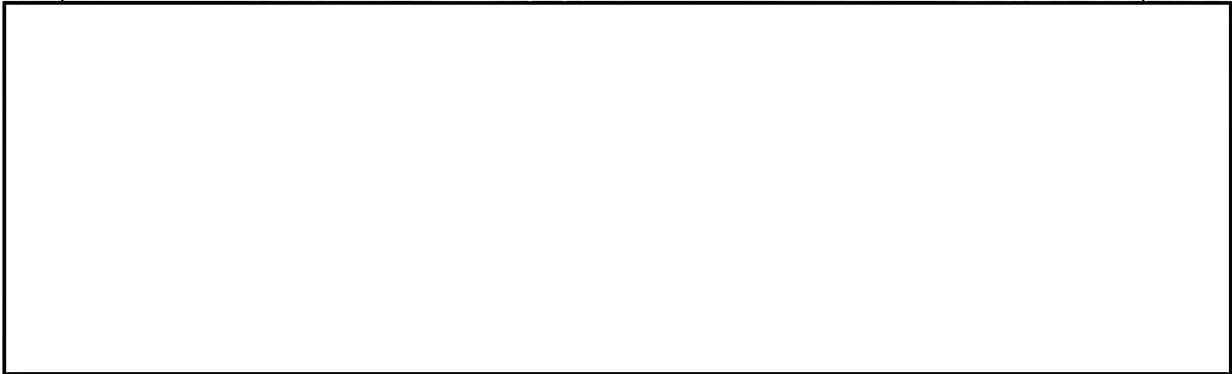
May 9, 1970 - Incoming call to residence from

OTHER

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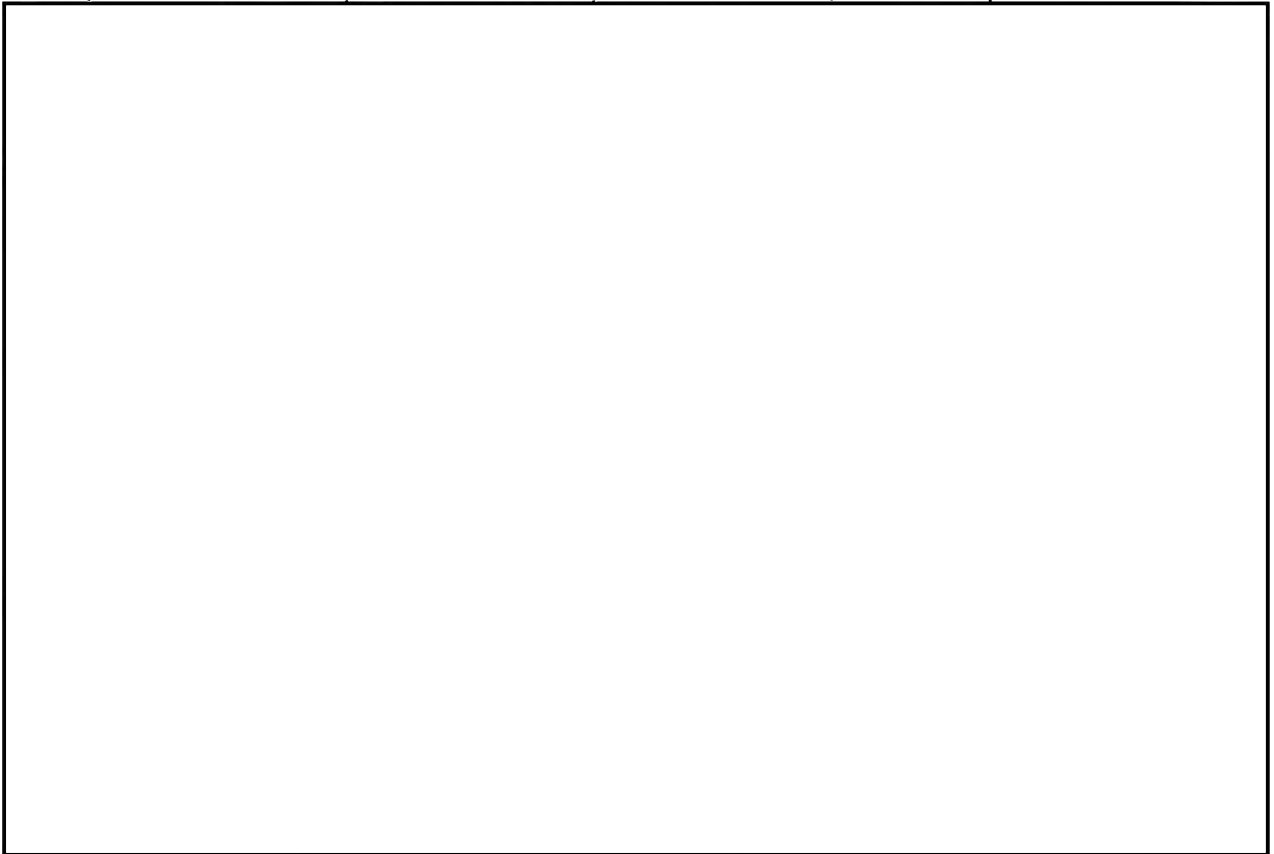


OTHER

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October 14, 1969 - Incoming call by to
residence.



OTHER

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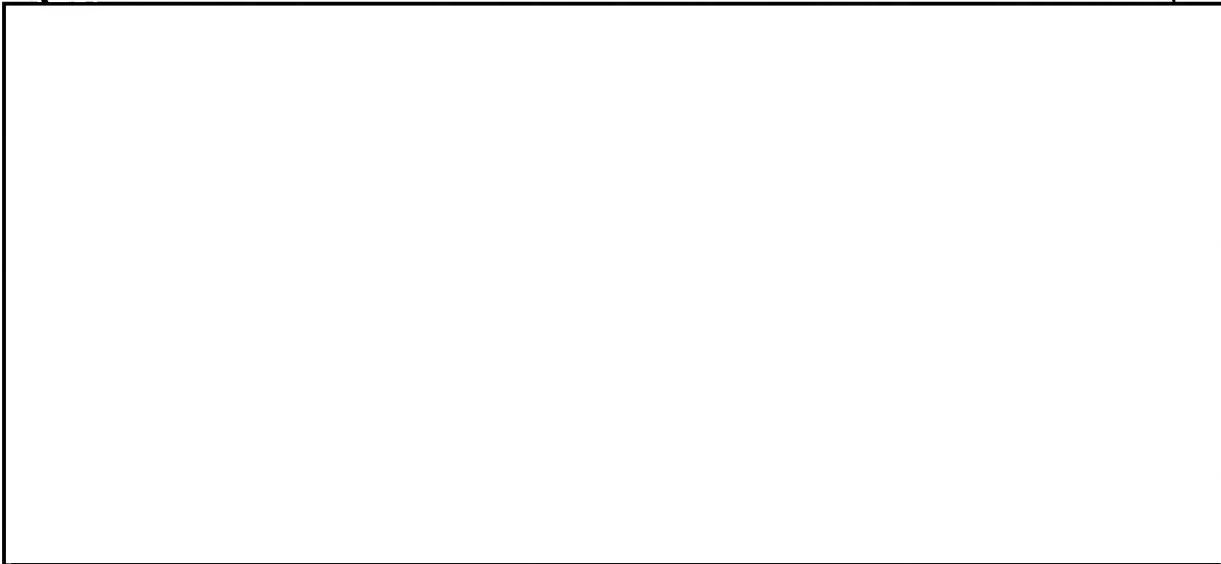
Nov. 22, 1970 - Incoming call to residence.

OTHER

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Order

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May 14, 1973

NATIONAL SECURITY ELECTRONIC SURVEILLANCES

History of FBI Policy

The FBI uses electronic surveillance techniques on a highly selective basis and only with the tightest administrative controls. As a matter of fact, wiretapping by FBI Agents was strictly forbidden from 1924 to 1931 when Attorney General William D. Mitchell specifically authorized the use of this technique by the Bureau in cases involving kidnaping, the apprehension of desperate criminals, and the investigation of espionage, sabotage or other matters of major importance. In response to this Departmental ruling, the late Director J. Edgar Hoover advised the Attorney General in December, 1931, that all instances involving the proposed use of wiretaps by the Bureau would be forwarded to the Department for its approval. This policy has remained in effect since 1931.

Prior to these instructions from Attorney General William D. Mitchell, the United States Supreme Court had held that the use of evidence obtained by wiretapping did not violate the Fourth Amendment when there was no trespass on defendant's premises and, further, that only "material" objects are subject to seizure and a telephone conversation is not such an object.

During 1934 the Congress enacted the Federal Communications Act which contained provisions (Section 605) making it a criminal offense for anyone to intercept a wire communication and divulge or publish such intercepted communication without the authorization of the sender. However, the Department of Justice ruled that this statute did not preclude wiretapping by the FBI and that no violation of Section 605 was involved unless there was a disclosure of the intercepted communication.

Following a series of cases heard by the U.S. Supreme Court during the late 1930s in which the Court held that the Federal Communications Act of 1934 prohibited the introduction of evidence obtained through wiretapping,

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HEREIN IS UNCLASSIFIED

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MAIL ROOM ☐TELETYPE UNIT ☐

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Attorney General Robert H. Jackson in March, 1940, banned the use of wiretapping by the FBI and stated he would no longer authorize this procedure unless Congress modified existing statutes. Mr. Jackson's action was taken, in fact, upon the recommendation of the Director of the FBI.

However, on May 21, 1940, President Roosevelt directed a memorandum to Attorney General Jackson which established the guidelines which governed wiretapping by Federal agencies until passage of the Omnibus Crime Control and Safe Streets Act of 1968. In this historic memorandum, President Roosevelt expressed the conviction that Supreme Court decisions relating to wiretapping were not intended to apply to grave matters involving the defense of the Nation. The President took cognizance of the activities of so-called "Fifth Columns" and the necessity for the Government to protect itself against sabotage, assassinations, and other "Fifth Column" activities. President Roosevelt declared that the Attorney General had the authority to approve the use of "listening devices" by Federal investigative agents to secure information regarding the activities of persons suspected of subversive activities against the U. S. Government, including suspected spies.

During February, 1941, President Roosevelt wrote to Congressman Thomas Eliot of Massachusetts and expressed his views on a bill then pending before Congress to allow wiretapping by Federal officials. In this letter President Roosevelt asserted his belief that wiretapping should not be used by the Government in criminal cases other than kidnaping and extortion matters. He reiterated his conviction that wiretapping should be used in cases involving espionage or sabotage against the United States. The President further indicated no wiretaps should be installed by Federal agents without the explicit authority of the Attorney General.

On July 17, 1946, President Truman reaffirmed President Roosevelt's policies concerning the use of wiretapping and succeeding Presidents and Attorneys General continued these policies.

Throughout the entire time since 1931, the FBI has consistently obtained specific authorization from the Attorney General with regard to all instances involving the use of wiretapping by the Bureau.

Omnibus Crime Control and Safe Streets Act of 1968

Title III of the Omnibus Crime Control and Safe Streets Act of 1968 took cognizance of the long-recognized power of the President to authorize electronic surveillances in the security field and specifies that the Act shall not limit this power.

As previously stated, prior to Title III of the Omnibus Crime Control and Safe Streets Act of 1968, and the Keith decision, June 19, 1972, the law that developed around electronic surveillances concerned itself primarily with the admissibility of evidence obtained from electronic surveillances rather than with the basic issue of the "legality" of electronic surveillance itself. Evidence, including leads to evidence, gathered via wiretapping was excluded from any criminal prosecution on the basis that presentation of such evidence was a "disclosure" prohibited by Section 605 of the Federal Communications Act; and evidence, including leads to evidence, obtained from a microphone surveillance or a wiretap was excluded if it was determined the installation required a "trespass" and was thus an unlawful search and seizure.

Title III, however, established the Congressional intention that electronic surveillance, under specific conditions, is to be lawful and the evidence obtained therefrom admissible.

Title III also, while not conferring any statutory authority on the President, indirectly recognized that he was authorizing warrantless electronic surveillances in matters affecting national security and stated that Title III did not affect any such powers he might have. The Act recognized specific categories for electronic surveillances in foreign-related intelligence matters. These categories were as follows:

To protect the Nation against actual or potential attack or other hostile acts of a foreign power;

To obtain foreign intelligence information deemed essential to the security of the United States;

To protect national security information against foreign intelligence activity;

To protect the United States against the overthrow of the Government by force or other unlawful means;

Or against any other clear and present danger to the structure or existence of the Government.

Additional guidelines were established with respect to Federal wiretapping in the internal security field by the Supreme Court's Keith decision in which the U. S. District Court, Eastern District of Michigan, in a memorandum opinion dated January 25, 1971, found that the Government's use of a wiretap without a warrant in a domestic security case was illegal. The case involved three defendants, members of the White Panther Party, who were charged with conspiracy to bomb a CIA office at Ann Arbor, Michigan, on September 29, 1968. In pre-trial proceedings the defendants filed a motion for the disclosure of electronic surveillance information. The Government acknowledged that one of the defendants had participated in conversations which were overheard by Government agents and furnished for the judge's inspection only the surveillance logs.

The Michigan Court rejected the idea that the President has constitutional powers to authorize electronic surveillances without a warrant in dealing with domestic security matters. The defendants were granted full pre-trial discovery of the wiretapping logs in this case and the Government was so ordered to produce. This decision was appealed. On April 4, 1971, the U. S. Circuit Court of Appeals for the Sixth Circuit upheld the lower court ruling; but in ruling against the Government, the Circuit Court said that in dealing with the threat of only domestic subversion the Executive Branch was subject to the limitations of the Fourth Amendment in using wiretaps. The Circuit Court held that the District Judge properly found that the defendant's conversations were illegally intercepted and the order of disclosure was proper. The Supreme Court subsequently ruled against the Government stating that electronic surveillances of domestic organizations and their members "with no significant connection with a foreign power" was a violation of Fourth Amendment rights.

Since the Keith decision the status of Federal law on electronic surveillances in the national security field can be summarized as follows: With regard to domestic individuals and organizations the President has no warrantless power to authorize such electronic surveillances. He may have the power to subject such targets to electronic surveillance, but these electronic surveillances must be submitted for prior judicial review, i.e., a warrant, before installation. With respect to foreign individuals and organizations the legality and admissibility of evidence issues have not yet been directly considered by the Supreme Court. The issue of "legality," based on whether prior judicial review is

required (key issue in Keith), was resolved in the Government's favor by the United States District Court, District of New Jersey, in United States versus Ivanov. Following an ex parte, in camera inspection of the surveillance logs by the District Court and argument on the legality issue by the parties, the Court sustained the authority of the Attorney General to acquire foreign intelligence information by warrantless electronic surveillance. The same issue is currently under advisement by the United States Court of Appeals for the District of Columbia Circuit in the case of United States versus Enten. In Keith, the Supreme Court specifically noted that two lower courts and the United States District Court, Central District of California, had held that "warrantless surveillance...may be constitutional where foreign powers are involved."

Subsequent to the Keith decision the Department of Justice issued the opinion that the President, under his constitutional authority to protect the States against invasion, and to conduct foreign relations, has the power to authorize electronic surveillances to develop foreign intelligence.

Also as a result of the Keith decision, the Department of Justice interpreted "significant connection" to include such factors as substantial financing, control by or active collaboration with a foreign government and agencies thereof in unlawful activities directed against the United States Government.

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~~CONFIDENTIAL~~

Box No. 1

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~~CONFIDENTIAL~~

Received by me in connection with
investigation of Mr. Puccillo, was, Mr. Puccillo
with approval of White House caused
Mr. Puccillo 5/12/73
supervising special agent

Log
All Handed
5/12/73

LAKE - 5/13/70 - 2/9/71

Lord - 5/13/70 - 2/9/71

Mosse - 5/23/70 - 6/20/69

Pedersen - 5/8/70 - 2/9/71

McLane - 12/15/70 - 1/27/71

Pursley - 5/13/69 - 5/27/69

" - 5/6/70 - 2/9/71

Safire - 8/5/69 - 9/15/69

Smith - 6/7/69 - 9/1/69

New Snider - 5/22/69 - 6/20/69

Sonnenfeldt 5/14/69 - 4/20/69

" 10/22/70 - 2/9/71

Guthrie 5/7/70 - 2/9/71

Sears 7/24/69 - 9/23/69

ENCLOSURE

65-75075-15

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 12/26/81 BY 842-PNV/mag/pud

Class. by 9788 RCS/jh
11-24-82

~~DECLASSIFY ON~~ ORDR

Class. & Ext. By 2842/PNV/mag/pud
Reason-FCIM II, 1-2.4.2 2.1.3
Date of Review 5/23/93

~~CONFIDENTIAL~~

Classified by 6855 JML/df
Exempt from GDS Category 3
Date of Declassification Indefinite
10-6-77

~~SECRET~~

~~SECRET~~

~~CONFIDENTIAL~~
~~SECRET~~

Folder marked CA T O

~~(Top Secret)~~ material

W.C. Sullivan. (S)

7/1/69 [Sullivan to Hoover memo
(Thin copy) re unsub columnist
travelling in Europe - re
Tesar - Misur in Europe (S)]

7/2/69 Sullivan to Hoover memo
(thin) report from Legat,
Paris - (S)

7/3/69 [Sullivan - Hoover memo
(thin) re Misur in Paris (S)]

7/10/69 News Clipping International
Herald Tribune - Paris
7/10/69 Joseph Kraft
Byline. (S)

2 Thin copies of logs of tapes
on Kraft period 7/3/69 - 7/7/69 (S)

7/16/69 File copy Bufile to
Paris re CATO (S)

7/12/69 Sullivan - Hoover memo
(Thin) u

~~SECRET~~
~~CONFIDENTIAL~~

8/6/69 original copy of
memo re: CATO 3 pages
attached to orig. cable (copy)
from Paris to Sullivan
re CATO. (S)

Thin copies of Sullivan to
Hoover memos 7/8/69,
7/10/69 (2 separate memos) 7/14/69
(2 separate memos) Thin copy
of letter from [redacted]
to Hoover 3/13/69, re work
of Pierre Salinger (S)

Newspaper clippings with
Joseph Kraft byline (3) (S)
and letter (informal) re CATO
7/2/69 (S)

File copy of Cable to Paris
6/30/69 (S)

Thin copies of Sullivan - Hoover
memos 6/30/69, 7/7/69, 7/11/69,

~~CONFIDENTIAL~~
~~SECRET~~

Yellowed file copies of dissemination
memos.

8/1/69 Cover letter to President
Nixon 8/1/69 w/ 14 page
enclosure covering Henry
Brandon, Daniel J. Davidson,
Morton H. Halperin, Rick
Smith - dated 8/1/69

8/6/69 Cover letter (only) to AG
w/ 14 page memo of
8/1/69 -

8/1/69 Cover letter only to
Dr. Kissinger 8/1/69.

8/1/69 Sullivan to DeLoach
Cover memo on above

7/31/69 Letters to Dr. Kissinger
and Pres. Nixon re
coverage of Brandon
and Rick Smith

7/31/69 Sullivan - DeLoach
Cover memo -

~~SECRET~~

~~CONFIDENTIAL~~

7/18/69 - Sullivan - DeLoach
Cover memo and
memos to Kissinger
and Pres. Nixon on
Brandon. 7/18/69

7/15/69 Same date 7/15/69

7/15/69 Same, also dated 7/15/69

7/14/69 Sullivan - DeLoach
cover memo with memos
to Kissinger and Nixon
on Tina Davidson 7/14/69

7/10/69 Same on Brandon 7/10/69

5/29/69 Sullivan - DeLoach
memo re sensitive
nature of coverage

5/28/69 Sullivan - DeLoach
memo re sensitive
material developed
on Halperin and Davidson

5/29/69 File copy of letter to
Nixon re Halperin
Davidson, and Brandon

~~SECRET~~

~~CONFIDENTIAL~~

5/28/69 File copy of memo
To Nixon re Halperin,
Davidson, Brandon

12/29/69 letters to Nixon
and Kissinger re
Halperin

Sullivan to DeLoach Cover
memoranda with file copies
of letters reporting results

4/3/69, 7/25/69, 7/10/70, (memos)
Attachments 5/28/69, 7/25/69,
7/10/70

Letters to Alderman dated
2/10/71, 1/27/71, 1/22/71, 1/19/71,
1/18/71, 2/12/71, 2/7/71, 1/5/71,
12/30/71, 12/28/70, 12/22/70
12/18/70, 12/17/70, 12/16/70
12/15/70.

12/15/70 Routing Slip - Sullivan
to Gandy

Letters to Alderman dated
12/18/70, 12/17/70, 12/17/70,
12/15/70, 12/11/70, 11/24/70,
11/19/70, 11/13/70

(A)

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~~CONFIDENTIAL~~

Letter to Kissinger 11/3/70

Sullivan to Tolson memos
with letters attached for
Holmes 10/28/70, 10/23/70
10/19/70, 10/13/70, 9/25/70,
9/22/70, 9/11/70, 9/3/70,
5/13/70 -

Sullivan - DeLoach memos
with letters attached for
Holmes 7/8/70, 7/7/70,
7/2/70, 6/29/70, 6/25/70,
6/25/70, 6/22/70, 6/18/70,
6/15/70, 6/11/70, 6/9/70, 6/2/70
5/28/70, 5/26/70, 5/21/70,
5/15/70, 5/14/70,

Sullivan - DeLoach memos with
letter to Kissinger 5/12/70 -
Kissinger & Nixon 5/11/70 -
Nixon & Kissinger 5/8/70 -
AG, Nixon and Kissinger 5/4/70 -
Nixon - Kissinger 2/26/70 -
Nixon - Kissinger 2/17/70 -
Nixon - Kissinger 2/2/70 -
Nixon - Kissinger 1/21/70 -
Nixon - Kissinger 1/15/70 -
Nixon - Kissinger 12/30/70 -

(4)

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~~CONFIDENTIAL~~

Sullivan - DeLoach memos continued -

12/29/69 - memo only
File copy of letter not
there.

12/18/69 - Nixon - Kissinger
12/2/69 - Nixon - Kissinger
12/2/69 - Nixon - Kissinger
11/17/69 - Nixon - Kissinger
11/14/69 - Nixon - Kissinger
11/7/69 - Nixon - Kissinger
11/6/69 - Nixon - Kissinger
10/28/69 - Nixon - Kissinger
10/24/69 - Nixon - Kissinger
10/9/69 - Nixon - Kissinger
9/30/69 - Kissinger - Nixon
9/3/69 - Kissinger - Nixon
8/22/69 - Kissinger - Nixon
8/13/69 - Kissinger - Nixon

Haynes - Sullivan memo 5/15/70

Thin of letter to Kissinger
from Sullivan

(S)

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~~CONFIDENTIAL~~

Sears Folder

original

7/23/69 DeLoach - Tolson memo

orig -7/23/69 orig. AG. authoriz.
with notation by AG for installing
electronic surveillance7/23/69 Routing Slip from
Director's Office

7/23/69 Sullivan - DeLoach memo

7/25/69 File copy of transmittal
letter to AG with enclosure
dated 7/25/697/28/69 Transmittal letter and
enclosure dated 7/28/69 to AG7/28/69 Transmittal letter and
enclosure dated 7/28/69 to AG7/29/69 Transmittal letter and
enclosure 7/29/69 to AG7/31/69 Transmittal letter and
enclosure 7/31/69 to AG

~~CONFIDENTIAL~~ ~~SECRET~~
JORG

8/1/69 Transmitted letter and
enclosure 8/1/69.

8/4/69 Transmitted 1 letter to AG
w/enclosure 8/4/69

8/6/69 Transmitted letter to AG
w/encl. 8/6/69.

8/7/69 Transmitted letter to AG
w/encl. 8/7/69

8/8/69 Transmitted letter to AG
w/encl. 8/8/69

8/8/69 DeLoach to Tolson memo.

8/14/69 Transmitted letter to AG
with encl. 8/14/69

9/16/69 DeLoach - Tolson memo

8/25/69 Transm. letter to AG
w/encl. 8/25/69

9/5/69 Transmitted letter to AG
w/encl. 9/5/69

~~CONFIDENTIAL~~

Ltr to AG 9/8/65 re
discont.

Sullivan - DeLoach memo
8/1/65 with attached letter
to AG requesting approval
for Tech. on Sapiro - 8/4/65

Orig. approved AG letter 8/4/65
on Sapiro.

Sullivan - DeLoach memo 6/20/65
re discontinuance

Sullivan - DeLoach memo 6/20/65
re letter to AG (not attached)
discontinuing 3 Techs.

Sullivan - DeLoach memo 6/2/65
re letter to AG (not attached)
discont. on 1.

Approvals (originals) of AG.

12/14/70 Jamie W. McHane

10/16/70 Helmut Sonnenfeldt

5/13/70 Winston Lord.

(X)

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5/13/70 Wm. Anthony K. Lake

5/4/70 Wm. Beecher

5/4/70 Gen. Robt. E. Parsley

5/4/70 Am. Richard F. Pedersen

5/4/70 Am. Wm. H. Sullivan

4/4/69 Hedrick L. Smith

5/29/69 Henry Brandon

5/20/69 Richard M. Moore and
Richard Lee Snider

5/12/69 Daniel J. Davidson
Martin H. Halperin
Col. Robt. Parsley
Helmut Sonnenfeldt.

(S)

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Logs —

Becker 5/8/70 — 2/9/71

Brandon 11/10/69 — 4/9/70

(with Background memos
11/6/69 and 2/4/70 attached)

" 6/3/69 — 5/10/70

" 4/12/70 — 2/9/71

Davidson 5/14/69 — 9/15/69

Halperin 11/10/69 — 8/31/70

" 5/10/69 — 11/9/69

" 9/1/70 — 2/9/71

(with thin pages (3)
relating to other individuals;
conversations in 1970,
including Ellsberg.)

accrete Envelope containing
envelope with 16 surveillance
photos. of Halperin and Brandon

b6
b7C

W. J. [unclear]
Special Agent
5/12/73

Received by me in accordance
with instructions of Mr. Ruckelshaus
and Mr. Buzant with approval
of White House Counsel Mr. [unclear]
5/14/73 — [unclear]

CONFIDENTIAL

Bound, Tagged Folder - ~~CONFIDENTIAL~~

- ① Hoover memo to Mr. Sullivan
6/23/70
- ② Status memos from Mr. Sullivan
to Mr. Hoover
7/10/69, 7/8/69, 5/29/69,
5/20/69, 5/20/69, 5/15/69,
5/15/69,
- ③ Discontinuance letters & memos
to AG 2/11/71
Sullivan - Tolson 2/10/71
Listing 9 TEsurs - and verifying
AG approval
Sullivan - Tolson memo 1/27/71
re disc. on McLane
Ltr. to AG 1/27/71 re disc.
on McLane
Sullivan - DeLoach memo 9/15/69
re coverage with letter to
AG 9/15/69 attached discontinuing
Ltr.

~~SECRET~~

9/8/69 Transmitted letter to
AG w/encl. 9/8/69

9/15/69 Transmitted letter to
AG w/encl. 9/15/69

9/18/69 Transmitted letter to AG
with encl. 9/18/69

9/22/69 Transmitted letter to AG
w/encl. 9/22/69

10/2/69 letter to AG - Tech
disc.

Ticker copies of Transmitted
letters to AG 7/31/69, 7/29/69,
7/25/69, 7/23/69 DeLoach to
Tolson memo, memo (Bishop) to
DeLoach 2/25/69 re Bruce Brossard

Xerox News Clipping - Wash. Daily
News 12/26/68 re Sec 5

~~CONFIDENTIAL~~original letters to ~~C~~

Ehrlichman

7/25/69, 7/28/69, 7/28/69,
 7/29/69, 7/31/69, 8/1/69,
 8/4/69, 8/6/69, 8/7/69,
 8/8/69, 8/14/69, 8/25/69,
 9/5/69, 9/18/69, 9/22/69,

President

5/12/70, 5/11/70, 5/8/70,
 5/4/70, 2/27/70, 2/17/70,
 2/2/70, 1/21/70, 1/15/70,
 12/31/69, 12/18/69, 12/3/69,
 12/2/69, 11/17/69, 11/14/69,
 11/7/69, 11/6/69, 10/28/69,
 10/24/69, 10/13/69, 10/10/69,
 10/9/69, 9/30/69, 9/3/69,
 8/22/69, 8/13/69, 8/1/69, with
 14 page Xerox Summary
 7/31/69, 7/25/69, 7/18/69,
 7/15/69, 7/15/69, 7/14/69,
 7/10/69,

~~SECRET~~
~~CONFIDENTIAL~~

Holdeman -

2/10/71, 1/29/71, 1/27/71,
1/22/71, 1/19/71, 1/18/71,
1/12/71, 1/7/71, 1/5/71,
12/30/70, 12/28/70, 12/22/70,
12/18/70, 12/17/70, 12/17/70,
12/17/70, 12/16/70, 12/18/70,
12/15/70, 12/15/70, 12/11/70,
11/24/70, 11/19/70, 11/13/70,
10/29/70, 10/23/70, 10/20/70,
10/14/70, 9/28/70, 9/22/70,
9/11/70, 9/4/70, 8/13/70,
7/7/70, 7/8/70, 7/6/70, 6/29/70,
6/25/70, 6/25/70, 6/23/70, 6/19/70,
6/15/70, 6/11/70, 6/9/70, 6/2/70,
5/28/70, 5/26/70, 5/24/70, 5/18/70,
5/18/70, 5/18/70, 5/14/70, 7/10/70

Kissinger

5/11/70, 5/12/70, 8/8/70, 5/4/70
2/27/70, 2/17/70, 2/2/70 (Abo xerox)
1/21/70, 1/15/70, 12/31/69, 12/8/69,
12/3/69, 12/2/69, 11/17/69, 11/4/69,
11/7/69, 11/6/69, 10/28/69,
10/24/69, 10/13/69, 10/10/69,
10/9/69, 9/30/69, 9/3/69, 8/22/69,
8/13/69, 8/11/69, (w/14 page summary)
7/31/69, 7/25/69, 7/18/69, 7/15/69,

(X)

~~CONFIDENTIAL~~

Kissinger cont.

2/15/69, 2/14/69, 7/10/69,
2/22/69, 5/28/69, 5/13/69,

DeLoach to Sullivan memo
5/13/70 re diss. to A.G.

Thin memo first page only
re Martin Halperin 6/15/71

memo with background and
clippings 11/13/69 on Hedrick
Smith

7 page LHM 2/24/69 on
Sonnenfeldt.

Ⓢ

~~SECRET~~

~~CONFIDENTIAL~~

Re fate envelope

Hoover to Tolson
4/9/69 DeLoach
Sullivan
Bishop

Re sensitive data
published by Wm. Beecher.
Clippings attached.
Rationale re leaks -

Re fate envelopes

Hoover to Tolson
5/9/69 DeLoach
Sullivan
Bishop

National Security leaks
printed by Beecher - start
inquiry -

Hoover to Tolson
5/9/69 DeLoach
Sullivan
Bishop

Regarding conversation with
Dr. Kissinger on leaks, and possibility
of identifying source -

(S)

~~SECRET~~

~~CONFIDENTIAL~~

Hoover to Tolson

5/9/69

DeLoach

Sullivan

Bishop

Re Dr. Kissinger's call on
Becker article

Hoover to Tolson

5/9/69

DeLoach

Sullivan

Bishop

Re what could be done to
find serious leaks.

File copy of letter to Kissinger
5/13/69 confirming conversation
re leaks 5/9/69.

Folder on Marvin Kalb

(1) Log 9/25/69 - 11/4/69

(2) Orig - AG Authorization

(X)

~~SECRET~~

~~CONFIDENTIAL~~

- (3) Copies of Ltrs to AG.
10/5/69, re continuance
10/13/69, with copies of
letter to President
11/4/69 re continuance

(U) Folder on Joseph Kraft. (S)

Sullivan memos 6/30/69,

7/1/69,

7/2/69,

7/3/69

7/7/69.

7/8/69

7/10/69

7/10/69

7/11/69

7/12/69

7/14/69 (S)

(U) Re Coverage in Europe (S)

(U) Fib copy letter to Ehrlichman 11/7/69
re foreign contacts (S)

Sullivan - DeLoach memo 11/5/69
re AG request for coverage.

Ltr. to AG - 11/2/69 - Since
no authorization received Tesar
not installed.

(S)

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Conmy *JLC/80*

DATE: 5/16/73

FROM : J. E. Herington *JLC*

JUNE

SUBJECT: ~~XXXX~~ PRESS CONFERENCE
ACTING DIRECTOR RUCKELSHAUS
MAY 14, 1973

OSPECOV

not filed

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conmy _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

Attached are the original transcript of captioned press conference and a copy of the document captioned "National Security Electronic Surveillances" which was passed out to the press during the conference.

Two copies of the transcript have been sent to each field office and one copy to each Legal Attache and each Assistant Director.

RECOMMENDATION

For file purposes.

Encs.

1 - Mr. Herington

JEH:asg
(2)

asg
JLC
2

ENCLOSURE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/26/81 BY 2842-PMC/PMC/PMC

REC

65-75085-16

21 MAY 21 1973

PSG/OK

JUN 4 1973 *Jan*



UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

WILLIAM D. RUCKELSHAUS

ACTING DIRECTOR, FBI

PRESS CONFERENCE

May 14, 1973

2:00 P. M.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/20/81 BY 2842 PMU/pwr/pwde

ENCLOSURE

65-75085-16

Mr. Conmy: Good afternoon. This is an on the record news conference with William D. Ruckelshaus, Acting Director of the FBI. MR. Ruckelshaus has a brief statement, after which he'll be pleased to respond to any questions. There are hand microphones on the sides of the room may I suggest it will be easier for all of us to hear if you use those when you do ask your questions. There is a background paper on wiretapping that's available to you. You may use it as you see fit. There is also a text of Mr. Ruckelshaus' statement and a full transcript of the entire news conference will be available, hopefully, later today.

Mr. Ruckelshaus:

Gentlemen, I'd like to read this statement, in its entirety so that we have this problem in context before your questions.

Shortly after assuming this job, my attention was drawn to several newspaper and periodical accounts of electronic surveillances, better known as wiretaps, having been placed on telephones of government employees and newsmen in an effort to stem the leaks of information related to highly sensitive foreign policy issues. Upon inquiry, I was informed by FBI employees that these surveillances had been performed and that the records relating to them were missing from the FBI files. Also the question had been raised in the Ellsberg trial whether information from these alleged taps had been used by the prosecution in any way and thus tainted

the evidence.

As a result of this information, I immediately ordered an investigation into the facts surrounding the taps and the missing records. The investigation was started Friday, May 4, 1973, and was conducted under my personal supervision by highly skilled FBI personnel at Headquarters. Forty-two separate interviews were conducted, all by Headquarters personnel, and included travel to Phoenix, Arizona; Tampa, Florida, Savannah, Georgia; New York City; and Stamford, Connecticut.

The investigation revealed that from May, 1969, to February, 1971, based on consultations between the Director of the FBI and the White House, certain wiretaps were instituted in an effort to pinpoint responsibility for leaks of highly sensitive and classified information which, in the opinion of those charged with conducting our foreign policy, were compromising the Nation's effectiveness in negotiations and other dealings with foreign powers.

There was a total of 17 wiretaps placed for this purpose. Four were placed on newsmen as the potential recipients of leaks and thirteen on government employees as the potential sources. The taps were on for varying lengths of time during the period in question; two for as little as 30 days and one for as long as 21 months.

These requests were handled in the same way as other requests involving national security for a number of years and in prior Administrations. When a government agency or the White House requests surveillance the request is studied by the senior officials of the FBI, and if the Director approves, authority is then requested from the Attorney General. If he approves, as was done in this case, the surveillance commences, summaries are prepared from the logs, which are transmitted to the interested agency, or as in this case, the White House.

Because of the sensitivity of these particular surveillances, the records were very closely held; first in the Director's Office and then on the Director's orders under the custody of Mr. W. C. Sullivan who was an Assistant to the Director.

The investigation indicates that sometime in the summer of 1971, after the taps were all taken off, Mr. Sullivan contacted Mr. Robert Mardian, who was then Assistant Attorney General in charge of the Internal Security Division, and informed him of the nature of these records and recommended that they be transferred to The White House. According to Mr. Mardian, the recommendation was made on the claim by Mr. Sullivan that Mr. Hoover might use the records in some manner against the Attorney General or the President. Mr. Sullivan does not affirm Mr. Mardian's claim. There is certainly no proof that Mr. Hoover had such intention but the charge had its desired effect.

According to Mr. Mardian, he informed Mr. Mitchell, who in turn informed The White House. The records were taken from the files by Mr. Sullivan, who ordered them given to Mr. Mardian, who delivered them to The White House.

When the FBI discovered the records were missing upon Mr. Sullivan's retirement in the fall of 1971, it commenced an inquiry which ended when Mr. Hoover was informed by Mr. Mitchell that the records had been destroyed. It should be noted that Mr. Mitchell has denied making such a statement to Mr. Hoover. This conflict cannot be resolved because of Mr. Hoover's death. Mr. Mitchell, however, confirmed that the records were moved to The White House.

In any event, the FBI accepted the premise that the records had been destroyed, and when I assumed my present position, I had no reason to believe that the records were still intact. It was not until last Thursday night that our investigation revealed, during an interview with Mr. Mardian in Phoenix, that the records probably still existed and might be in The White House.

The next day the records were located in The White House, having been filed in a safe in Mr. Ehrlichman's outer office.

Unfortunately, the records were not located in time to respond to Judge Byrne's inquiries about the potential taint

of evidence in the Ellsberg trial. The interception of Ellsberg's conversations all occurred when he was either a guest of Morton Halperin, National Security Council, or conversing with him. It was one of those conversations of Mr. Ellsberg which I had informed the Judge on Wednesday, May 9, 1973, had been remembered by one of our employees who had monitored the tape. Of course, whether the location of the records would have had any affect on the Judge's decision is not for me to say.

On Saturday an FBI Agent and I went to The White House, identified and retrieved the records and they now rest in the FBI files.

The investigation was conducted with skill, speed and effectiveness by the FBI and resulted in the full retrieval of the records. I believe it is in the public interest to reveal these facts so that this story can be put in proper perspective.

Now I have two more points that I want to make, gentlemen. One is that I recognize how very emotional the question of wiretaps is in our society, and I asked at the time this investigation started that a history of the use of electronic surveillances or wiretaps in the FBI or by the FBI be prepared. The handout that you now have or is available is the result of that inquiry. I felt that the history was informative and good enough that it warranted being handed out at this press conference so that

again these taps can be placed in that historical perspective. Secondly, since I am sure it will be one of the first questions, I want to touch on the reasons why I have not revealed the names of the 17 people who were placed under electronic surveillance during the course of this effort to stem the leaks. At first I felt it was probably a good thing to reveal these names in the interest of openness and letting the public know precisely what happened. And upon reflection I concluded that the potential harm to be done by the release of these names outweighed the good that could result in the openness of revealing them. The potential harm is clear to the employees of the Government in that their positions in the Government since they were at least once under suspicion and most, if not all of them, have since been exonerated, might be jeopardized. It's less clear as to the newsmen as to why the names would not be released, but again, upon reflection and a certain degree of agonizing I concluded that the potential was still there for some harm to be done by revealing their names to the public. And I was finally persuaded by the realization that if I made a mistake in releasing the names there was nothing I could do about it, but if I make a mistake in not releasing them I can always rectify that mistake by doing so later. So in response to any of your questions as to what these names are, or who is involved, my answer will be the same and that is that I will neither confirm nor deny that any of the names that you request are the subjects of this surveillance. I'll now attempt to answer your questions.

Question:

Mr. Ruckelshaus, who in the White House, on page 2 you say that those responsible for or charged with conducting our foreign policy instituted this investigation. Can you be more precise about who those people are?

Answer: Yes. You'll have to bear in mind that in an effort to reconstruct precisely who initiated these inquiries has got to be based on the records that we have. The primary records are those that were recovered last Saturday in The White House. From our review of those records to date, it appears that an initial conversation took place between Mr. Kissinger and the FBI Director Hoover, sometime in the spring of 1971 in a discussion of the extreme concern that Dr. Kissinger had over these leaks and the problems they were causing in our foreign policy. It appeared that from this initial meeting, stemmed the efforts to discover the leaks through the use of wiretaps. The specific names to be surveyed or to be tapped were supplied through a number of avenues. A number of them came from The White House, some were generated from within the FBI, one or two it appears came from the Attorney General himself. Again it's not always clear in these records precisely who it was that recommended which name, but when the request for an authorization went up to the Attorney General the name would be identified and the reasons given as to why there was some feeling that a tap on this individual might be productive.

Question:

Since his name has been made public, can you tell us who proposed Morton Halperin?

Answer:

No, I cannot. I cannot tell that because frankly I don't recall it and the reason his name was made public was because it was in response to the Judge's request in the Ellsberg trial and, of course, where any Judge requests us to look through our files to see whether any interceptions have occurred on a given individual we will give the Judge those interceptions and the tap on which they occurred in camera or in his chambers. It's then up to the Judge to decide whether he wants to reveal those to the public.

Question:

Mr. Ruckelshaus, when Kissinger and Hoover conversations in the spring of '71, however you ...

(Mr. Ruckelshaus) I'm sorry in the spring of '69, 69 yes, that's right.

Question:

Mr. Ruckelshaus, are you saying that Mr. Kissinger specifically suggested or recommended the use of electronic surveillance?

Answer:

No, I'm not. I'm saying that in this initial conversation as best can be reconstructed from the files there was a very general discussion of the extreme concern that Dr. Kissinger had over the leaks that were jeopardizing our foreign policy and

he requested Mr. Hoover's assistance. Mr. Hoover agreed and it is apparently from that meeting that stemmed this method of attempting to discover the leaks.

Question:

Did Mr. Kissinger know, or learn subsequently that this method was being used?

Answer:

Well, I'm sure he did because summaries were prepared of the surveillances and sent to the, in this case the requesting agency. As I mentioned in our, in my original statement, that where summaries are prepared of any given surveillance they are sent to those individuals who are most concerned about the particular problem involved. In this case, national security. Whether he read those summaries or not I'm not in a position to say.

Question:

Are you accusing Mr. Ehrlichman of hiding these files?

Answer:

No, I'm not accusing him of doing that. The question was whether I am accusing Mr. Ehrlichman of hiding these files. No, I am not accusing Mr. Ehrlichman of hiding these files. The files were taken to the White House by Mr. Mardian and that is where we located the files in the course of our investigation that ended up about 6 o'clock of last Friday.

Question:

Wasn't Mr. Ehrlichman aware that this question had come up at the Senate hearings on Mr. Gray and Mr. Gray several times said he had checked the FBI records and there had been no

wiretaps on newsmen?

Answer:

Well, I don't know whether he did or not. You'd have to ask Mr. Ehrlichman that. The question of whether Mr. Ehrlichman, at the time we interviewed Mr. Ehrlichman, which was about 5:30 or 6 o'clock on Friday, we were still in the process of trying to locate the records. We believed that, at that point, that they were in the White House and the Judge had, as far as the interviewers were concerned, had not at that point dismissed the case. The Judge dismissed it at 2:05 his time in Los Angeles and there was no, at the time the interviews were made of Mr. Ehrlichman there was no particular reason to question him on this point.

Question:

Did you question Mr. Ehrlichman relative to why he had these files? What he was doing with them and at what time he came into the possession of them?

Answer:

Yes we did and the reason, as I tried to state in my statement that the files went to the White House as best we can reconstruct from a number of interviews is because of the fear that they might be misused in some way by Mr. Hoover, and I take it Mr. Ehrlichman was simply the custodian of those files while they were in the White House, and that his reason was the same as anyone else in the White House for having the files.

Question:

Can you say what particular leaks Mr. Kissinger expressed a concern about plugging as early as the spring of '69?

Answer:

Well, there were any number of leaks and to start discussing in specificity the leaks that appeared in the media would give rise to all kinds of speculation as to who the 4 newsmen were that in fact had taps on them. There were a number of leaks many of which are known to you that occurred later in 1971 but there were early leaks that occurred in 1969 and to the extent that those leaks should be discussed in general and specifically what the problems were with those leaks I think is better addressed to somebody else.

Question:

May I ask you whether or not you have evidence of any additional wiretaps that were put on after February of '71?

Answer:

Well there had been wiretaps placed on, yes, after February of '71.

Question:

To plug leaks on the phones of newsmen or White House people?

Answer:

No, there have been no wiretaps on newsmen since February of 1971 and I can say right now that in spite of what some of you may think, if you are now talking on the phone no one's listening.

Question:

Can you say the same with regard to other Administration officials?

Answer:

That no one's listening to them either, you mean?

Question:

That's right. With the intent of plugging leaks?

Answer:

As of the Keith case, in June all of the taps that had to do with leaks where there were any electronic surveillance on domestic citizens have been removed. There are no wiretaps on domestic citizens now, that had to do with national security.

Question:

The question was whether or not there were any wiretaps on the phones of Administration officials or newsmen after February of '71?

Answer:

As best I can recollect, there are and were some on Administration officials. There were none on newsmen after February of 1971 but those were not treated in the way that this series we're discussing here were. I might say also in case you think this is adding up to thousands of wiretaps, there are at present, and this is about an average, 107 total wiretaps all over the Nation being monitored by the FBI.

Question:

Sir, was Mr. Hoover's job in danger when he was suspected of possibly doing harm to the President?

Answer:

Yes, I think there was some question as to whether it was. There was certainly rumor to the effect and I've heard

statements to that effect. I'm not in a position to say whether his job was in danger or not. That would account to some extent as to why those files were moved to the White House, but I can't answer that directly.

Question:

Would that be the only reason?

Answer:

Well, it certainly is a logical reason to follow the course.

Question:

Mr. Ruckelshaus, who told you that Mr. Mitchell told Mr. Hoover that the files had been destroyed?

Answer:

That comes from the records of the FBI itself. There are two specific notations by Mr. Hoover indicating that in his own handwriting in the FBI files.

Question:

Mr. Ruckelshaus, this whole thing amounts to very little unless you tell us (1) now that the trial is over whether the wiretaps produced any link as to whether national security was being harmed and also you should tell us whose phones were tapped. There will always be a mystery on this. You should tell us the whole thing now.

Answer:

If it doesn't amount to anything then there will be no story about it, which is alright with me.

Question:

Why don't you tell us if there was, or if you found any leak here on national security?

Answer:

We have found no relationship between, as far as the trial is concerned, between the evidence in the trial and any interceptions of Mr. Ellsberg, and that was the question that concerned the Judge. Now as to the surveillance of Mr. Halperin, who was also requested by the Judge in his most recent order, we have not at this point been able to make a review of those to determine whether there would have been any exculpatory evidence or any taint on the prosecution. I am confident there was none of this information used by the prosecutors in the prosecution of the Ellsberg trial.

Question:

Would you identify the news organizations involved in the wiretapping?

Answer:

No, I won't. That's the same as identifying the individuals.

Question:

Would you identify the agencies or departments in which the other 12 people were involved?

Answer:

No. All the efforts to pin down precisely who it was and who they were coming from ... I'm just not going to

respond to that because that again just adds fuel to the search for the individuals and I suppose anybody can surmise what agencies are involved when we're talking about leaks of highly sensitive information. It's those agencies that were privy to that information, and clearly that's who we're talking about.

Question:

How about the legality or illegality of the wiretaps at the time they were placed? We haven't had a chance to read your history here.

Answer:

There is no question in my mind that these taps when placed to protect the national security as then defined, prior to the Keith case in June of 1972, were put on under constitutional assertion of right. Now that assertion was questioned and reversed in the Keith case. It was handed down in June of 1972, so that as far as the question of legality when the taps were placed on, they were completely legal and they were done pursuant to the usual procedure of the Justice Department. Now you have a retroactive question of whether that assertion of right turned out to be a correct constitutional interpretation, but nevertheless it was being made, and being made openly by the then Attorney General and by the Administration.

Question:

Was there any question of Mr. Sullivan's legality in turning this material over or taking it out of the FBI?

Answer:

We have just completed the factual investigation and I have asked that we now make a review of these facts as we found them in terms of the regulations and the law to determine whether there has been any violation of any laws or any regulations and until that review is over it simply is premature for me to comment.

Question:

On top of page 4 of your statement where you say it should be noted that Mr. Mitchell has denied making such a statement to Mr. Hoover, did Mr. Mitchell deny that he told Mr. Hoover that the records were destroyed and have you talked to Mr. Mitchell about this?

Answer:

Yes, Mr. Mitchell was one of the ones interviewed in this investigation.

Question:

And he denies that he told Mr. Hoover that the records were destroyed?

Answer:

Yes, yes he does.

Question:

Under oath?

Answer:

No oath, these were conducted in the usual form of an FBI interview. There was no oath taking.

Question:

You say there are notations in the FBI records in Mr. Hoover's signature that he was so told by Mr. Mitchell?

Answer:

There are two notations indicating with his initials in his writing that he was so told.

Question:

What terminology did he use? Would it have been "I turned this over ...?"

Answer:

No, it was clear enough from reading what he had written, in the context in which it was written that that was his belief and it's on that that I'm basing this statement. We will never resolve this because Mr. Hoover is now dead.

Question:

Mr. Ruckelshaus. You haven't answered the critical question. In this search for the leak and the potential sources, does the record show whether any leak was found or any potential source identified?

Answer:

Well, that's the first time the crucial question's has been asked, that I can recall. The question of the worth of these taps will probably remain open and a question of some debate into the future. Among the individuals that we interviewed there

was a difference of opinion as to their worth, so that as to whether there was a revelation of a specific leak or not we haven't reviewed the entire file - we have to do that in order to be certain, but I don't know of any. As to the revelation that some of the people in very sensitive positions were giving vent to their opinions rather regularly and rather openly there apparently was considerable evidence of that generated.

Question:

Was there anybody in the Administration -- officials-- punished in any way?

Answer:

Not that I know of.

Question:

The reference to compromising this Nation's effectiveness in negotiations in my recollection, the only ongoing negotiations in that period had to do with Vietnam and SALT. Are those the two things we're talking about here?

Answer:

Well, primarily; whether the negotiations were then going on or whether the negotiations we planned or about to start it was a general concern of the lack of security in this area of the Government that gave rise to this effort.

Question:

Can't you state what negotiations, since presumably

Answer:

Well, obviously the two that you mentioned were two that were then going on.

Question:

Was any employee of the Washington Post or did any employee of the Washington Post have his phones tapped?

Answer:

My response has got to be precisely what I said it was going to be in the beginning - otherwise then we could narrow it down to what desk he was at or what area he covered.

Question:

Have these people been informed that their phones were tapped, the 12 and 4?

Answer:

No, they have not.

Question:

Referring to the meeting between Mr. Hoover and Dr. Kissinger in the spring of 1969, have you gone to Mr. Hoover's files concerning that meeting and can they be read to show that Dr. Kissinger requested help from the FBI in chasing down leaks?

Answer:

The records we have, including the records that were recovered on Saturday and the records of the Department, indicated that such a meeting did take place and the general

question of leaks was discussed.

Question:

Did you interview L. Patrick Gray in connection with this and if you did, or even if you didn't, what is your understanding of what he knew about this?

Answer:

There was no reason to interview Mr. Gray on this question because the problems that took place or the missing records all occurred before he was the Acting Director. We interviewed everybody both within and outside the Bureau who would have any knowledge as to what happened to these records at the time.

Question:

Did he know, as near as you know, that these records had once existed and had been presumably destroyed which is what Mr. Hoover is supposed to have been told. Was he aware that there had ever been such a

Answer:

There is some indication in the records that he might have known but again I think you had better ask him because there is some ambiguity in the files as to precisely what he knew and how much he knew about these missing records.

Question:

Has anyone lost his job over this, Mr. Ruckelshaus?

Answer:

Not that I know of. I may, but I don't know anybody else.

Question:

Mardian says that Sullivan said he was afraid Hoover might use these wiretaps or these records against the President. Did Mardian elaborate on what he said Sullivan said?

Answer:

No, not more than just that. That was about as he remembered it and about as it was confirmed in an interview to our Agents.

Question:

Did he indicate in what way Sullivan said Hoover might use these against the President?

Answer:

No, he did not.

Question:

What did Sullivan say about it?

Answer:

Sullivan responded to some written interrogatories that we gave him and indicated he felt, as I said in my statement, he did not affirm this, he said he felt that the files should have been transferred because of their extreme sensitivity.

Question:

Were the taps on the home phones as well as the office phones?

Answer:

I think it varied. I think there were some taps on home phones.

Question:

Were there any members of the Senate or Congress on the other end of some of those telephone conversations?

Answer:

The only way I could tell you that is to go through every single log that's in those records.

Question:

Who has gone through them?

Answer:

They are in the process of going through them now.

Question:

Did anybody in the White House go through them while they were there?

Answer:

I can't answer that. The chances are no because they were receiving summaries of what was transpiring during the course of this ...

Question:

They set up a group to plug leaks within 4 months after this wiretapping stopped. Is there any connection between the ending of this wiretapping and the setting up of the Ehrlichman-Krogh unit?

Answer:

Not that I know of.

Question:

Did the President know of this at the time?

Answer:

Well, I can't answer that directly, but it is known that the President is very concerned himself about the leaks involving national security - and as summaries were sent from the Director to the White House they would be sent to the President whether the President read them or not or whether the ones that Dr.Kissinger read or not, I have no way of knowing.

Question:

Who investigated this? Didn't you attempt to find out what his role was in this thing?

Answer:

What we were looking for and we really are trying to do two things in the investigation. Number one was respond to the Judge out in California and secondly, locate these records or find out if there were any such records. We found them. The investigation was a success. It wasn't a success in time to give the Judge the benefit of what we knew, but the question of whether the President knew of this or not wasn't relative to the purpose of the investigation.

Question:

Did the White House make any recommendations on who should be tapped? Any individuals named?

Answer:

Yes, there were recommendations that came from the White House as I said. Some were generated from within the FBI.

As I recall one or two came from the Attorney General himself, but there were a number of people trying to decide just where these leaks might be occurring and where a beneficial interception might occur.

Question:

Did Mr. Hoover also receive a letter from the President in 1971 asking for the FBI's cooperation with Krogh's group of investigators?

Answer:

Are you referring to the story that was in the Washington Star? (Yes, right). There was correspondence between the President and the Director in which the President recommended that Mr. Hoover cooperate with Mr. Krogh. There was no mention in that correspondence of any committee. This is referred back to Mr. Krogh's affidavit which he filed in the court out in California in the Ellsberg case in which he said that his committee was set up with the acquiescence of Mr. Hoover. I think that in fact Mr. Krogh as the contact point in the White House for the ongoing FBI investigation into the Ellsberg matter, was communicated to Mr. Hoover by the President. Mr. Hoover then responded in a letter indicating that whatever information was developed in the process of this investigation would, of course, be turned over to the President's designee in the White House.

Question:

Do you plan on asking John Ehrlichman about anything relative to the amount of access Dr. Kissinger had to these tapes

and the files and the President?

Answer:

No unless there's been some violation of the law involved. There is no violation of the law here.

Question:

From the standpoint of pinning down, there have been some denials as I understand by Dr. Kissinger of any knowledge of this and I wondered if you would be exploring the question of whether it was called to his attention?

Answer:

Well, I don't know for what purpose. The investigation as I stated had two specific purposes and those purposes have been achieved.

Question

Well, we've had some (?) of credibility of public officials lately and it would seem to me the question of whether Dr. Kissinger saw these reports would be a very important question?

Answer:

Yes, but that isn't for me to decide. The question is, if it's important to the country and to the world I suppose it's up to you to ask him but as far as this investigation is concerned, it has nothing to do with the FBI. The fact is that if he was concerned about these leaks and if he hoped that from this

surveillance he could get some information leading him to the people who were involved so that he could stop the leaks, I'm sure he was interested and I'm sure he did read it. Now whether he read it himself or whether he had somebody else doing it for him, I don't know, but he had a perfectly legitimate concern as best I've been able to discover about the national security program.

Question:

There has been some question raised and some stories over the last weekend relative to the effectiveness of the FBI's surveillance of Haldeman's and Ehrlichman's offices and the records and I wonder if you have any explanation of that and could give us some detail on the background of this?

Answer:

I think you're talking about the story in the Chicago Sun Times. I think there was some misunderstanding on the part of the FBI Agents who were there as to what their precise function was. On Monday, when the resignations of Mr. Haldeman and Mr. Ehrlichman were announced, the staff of Mr. Garment, who was then appointed Counsel to the President, Mr. Richardson and my staff, got together to try to put together any problems we could see in the future. One of those problems that arose in their conversation had to do with the records in the White House, of the people that had resigned, and the question was we wanted to insure that the files weren't taken out, that there isn't wholesale taking out of

files such as allegedly occurred in the Hunt matter. And so it was decided jointly that we would station FBI Agents in the White House to insure that there was no removal in wholesale manner or of individual files from these rooms without some understanding of what was happening, what was being done. There was no effort to inventory these files, nobody had been charged with anything yet. There was no effort to have a log of each thing that came in and out. In fact these files that we're talking about here

Question:

Wouldn't there be a possibility of those files being cleansed, shall we say, by someone going through them and removing a few individual letters that might be embarrassing?

Answer:

There is that possibility, but until there is a charge of somebody, until we are sure precisely the necessity for the protection of a given record, it isn't up to the FBI to engage in a fishing operation to just start culling through the files.

Question:

Hadn't the condition been created at that stage with regard to the individuals involved, that there might be a possibility that they might be less than truthful on some occasions?

Answer:

Well, without getting into that, as to whether I'm casting aspersions on somebody, that's why we put people there - to

insure that there wasn't a removal.

Question:

It's the question of whether you took proper steps under the circumstances that existed relative to the background of activity of the individuals involved?

Answer:

That's precisely the question we tried to address. To go any further than we did go - to go to the point of saying, no, nobody gets in there, having an inventory of all those files, going through every single letter and document that was in those files we just had no charge at that point on which to base such a search. It's not legal to make a search like that without some basis in law to do so.

Question:

Mr. Ehrlichman and Mr. Haldeman could have been kept out of their offices to preserve the papers and there could have been a logging of people in and out.

Answer:

That was done. Those papers are now in two rooms in the White House. When we took the papers out that resulted in this, it was the most difficult thing I've ever had to do. We almost had an arm wrestle with the Secret Service later on because the records were gone. Those records belonged over here. What we were doing was getting back our records so that they stayed here, and those records had been in the files where it was possible to

remove those records if you wanted to.

Question:

I understand there was some dispute relative to the kind of surveillance you had. Did you have any conversation with the President relative to the type of surveillance you had and what was proper?

Answer:

No, I did not. The conversation was with Mr. Richardson and Mr. Garment.

Question:

Did you clear this news conference, Mr. Ruckelshaus, with the White House, with the Attorney general, whoever he may be, or the contents of it?

Answer:

If you mean by clear, is this a plot of some kind, I have sent copies of my statement to the White House, I have shown copies this morning of my statement to the Attorney General, Mr. Kleindienst, and if that means cleared, then I've cleared.

Question:

Did Dr. Kissinger agree with your review of the facts?

Answer:

I don't know. You'd have to ask him.

Question:

Did anyone at the White House or did Mr. Kleindienst indicate approval of the contents of the statement? Did they indicate it to you?

Answer:

You'll have to ask them that. They did not indicate that I should not do it. They did not give disapproval. They said that's your statement, go ahead and make it.

Question:

Was there a judgement made on the basis of those summaries about whether national security was compromised at all?

Answer:

The judgement had been made that national security was compromised before the taps were ever instituted in the first place.

Question:

I'm talking about summaries that were made from the information gathered from the taps?

Answer:

I can't answer that until there has been a complete review of these records containing all the summaries and the logs in them, and that's going to take some time.

Question:

Isn't that a matter of such importance that you would make judgment?

(garbled portion)

Answer:

Well, maybe they did. Maybe the Government decided, the people who were instituting it that this was a good idea. Apparently they did because they were continued. But as far as asking me to make such a judgement, not having reviewed those files, there is no way I can do that.

Question:

Didn't you say no one had lost his job or been penalized?

Answer:

I said to my knowledge no one has lost his job. I haven't checked that. I don't know where some of these people even worked.

Question:

Sir, who is making this review at this point and why was the review not made sometime before?

Answer:

Well, we only found the records on Saturday and the review ...

Question (interruption)

The records were found when they first came in . Why didn't they review them then? What's the reason for not reviewing these at once when they get these things? I'm talking

about when they were first finished before they were ever taken to the White House.

Answer:

There were reviews made of the interceptions and summaries prepared and the summary itself is just a summary of what was said. Unless you know all of the national security problems involved just reading those raw summaries might not mean anything to you.

Question:

Why didn't somebody know at that point. Who made the evaluation, I think that's very very important?

Answer:

Well, I'm sure it was being made by those who were concerned about the national security implications of these leaks.

Question:

Would there be anyone besides Henry Kissinger who would be really qualified fully to make the judgements on the summaries?

Answer:

Well, I'm sure he has a number of people on his staff .

Question:

He or someone on his behalf would be the logical people to look these summaries over? That would have been the whole purpose of the inquiries and obtaining the information in the first place?

Answer:

I think that's probably right.

Question:

Why were they all taken off in February of 1971?

Answer:

Apparently they thought they had served whatever purpose they were supposed to.

Question:

At the request of the White House to halt it?

Answer:

I honestly can't remember whether it was or not.

Question:

Some taps are still going on on some Government employees?

Answer:

No, not now. There are no taps they are all off as of June, 1972, because of the Keith decision.

Question:

Was there any surveillance like this prior to 1969, in other words in a previous Administration?

Answer:

Oh, there has been surveillance. The only thing different about this surveillance and the surveillance that takes place in national security generally is that these records were treated somewhat differently and then missing.

Question:

There were surveillance of newsmen in prior Administrations?

Answer:

I can't answer that. I asked that question this morning of many of the long time career FBI employees and they said

to the best of their recollection, no, but you'd have to search all of the records in order to answer that question.

Question:

You said that there were wiretaps going on on the phones of some Administration officials in the period following February, 1972, but they weren't treated as this series were. How were they treated?

Answer:

Just like any other request for a surveillance in order to discover a national security problem or in case of Title 3 in the Omnibus Crime Act in organized crime or gambling... (interruption)

Question:

are
You mean records of them/existent in the FBI and presumably in

Answer:

Yes, they are right in the normal record indices of the FBI.

Question:

Do you have any indication yet as to how long you are going to continue as Acting Director?

Answer:

I'll give you a better idea tomorrow but I can't answer that question ... It may be more rapid than you think.

Question:

What conclusions have you reached on the basis of the logs about the role of the correspondents and whether there was a security leak?

Answer:

As far as the newsmen were concerned, oh, I see what you're talking about. Maybe so, I haven't really thought that question through.

Question.

(Garbled question)

Answer:

I'm just talking about the individuals themselves.

Question:

What do you mean by that?

Answer:

Well, I'm not sure what I mean by it but I will neither confirm nor deny that those names are accurate ones.

Question:

You said you were less clear in your mind about naming the correspondents and reporters who've been tapped?

Answer:

Because I can envision now how it might help them. But I can also envision under some circumstances how it might harm them.

Question:

Wouldn't Mr. Clyde Tolson make a useful witness in all this and has he been questioned?

Answer:

Yes, he was talked to I think it was Saturday. Most of the information was in by then and I don't think there was much he could have added.

Question:

Did Attorney General Kleindienst know about this? Before your Friday discovery?

Answer:

To the best of my knowledge he knew absolutely

nothing about this.

Question:

Mr. Mardian dealt with Mr. Sullivan without telling Mr. Kleindienst?

Answer:

Mr. Mitchell was the Attorney General then.

Question:

Sir, you never told us whether the prosecutors looked at these papers at any time?

Answer:

I told you that to the best of my knowledge, the prosecution never saw any of these taps, in fact (interruption)

Question:

Somebody had to deal with these and write summaries they could have told the prosecutors or the prosecutors could have talked to them.

Answer:

I think that's what concerned the Judge, but I don't think it happened.

Question:

Well, then I think the FBI is at great fault if you can't find out some more continuity in there on this.

Answer:

Well, I don't agree that the FBI's at fault. I'm not standing here as an apologist for the FBI, but I don't think they were at fault because what we are talking about is an individual in the FBI who took records and gave them to somebody in the Department who in turn transported them to the White House, and the FBI didn't know where they were. What is the FBI supposed to do?

Question:

(Garbled) that the prosecutors never even had the summaries. That's very peculiar.

Answer:

This is precisely what is not allowed. You cannot give wiretaps of this nature for the purpose of leading to a prosecution, unless it's done under Title 3 of the Omnibus Crime Act and these taps were not done pursuant to that. That was the Judge's point - that if there was any evidence used from these taps in the prosecution that tainted the evidence and would knock it out and since we weren't able to produce the records in time he couldn't show whether it tainted the evidence or not and that was one of the bases on which he dismissed the case.

Question:

Mr. Ruckelshaus, could I go back to that clearing question for a moment. Specifically did you discuss with Mr. Kleindienst, Mr. Richardson or anybody at the White House including Dr. Kissinger the specific point of not revealing the 17 names?

Answer:

No, I did not. I did talk to several people in the hypothetical about revealing the names but it was none of the people that you mentioned.

Question:

Can you mention who you discussed this with then?

Answer:

No, I'm not going to reveal. As a matter of fact I

talked to one or two newsmen about it in the hypothetical, I didn't tell them who the names were, but I said what would be your reaction just to find out if there was any chance that somebody might get hurt because of this and it's my judgement not to release those names, nobody elses. In my opinion, the potential while it may be remote, is nevertheless there and for that reason I'm not going to do it.

Question:

Can you give us a physical description of those files? How much room did they take up? How big are they?

Answer:

They are about 2 boxes like that.

Question:

Mr. Ruckelshaus, you've assured us that there are only 107 wiretaps operated by the FBI. Can you tell us how we can be so sure of that in light of the irregularities you have indicated?

Answer:

Those are the ones for which there are presently records in existence in the FBI. I am convinced that this is sufficiently out of the ordinary and that on May 4th when it came to my attention that allegations were being made that such taps existed, and I inquired within the FBI about their existence, there were those who knew of the fact that these taps had been on in the past and that something had happened to the records, at least they weren't in the general files of the FBI. They were sufficiently

concerned about it , about the fact that these records were missing, that I'm confident that what we have on record is what exists. If you'll read that history and read the other reports of how these taps are handled in the FBI, Mr. Hoover himself was very insistent that there be a specific authorization from the Attorney General before any of these taps occurred, and for that and a variety of reasons I am confident that this is all the taps there are. Now I'm not saying there aren't other taps in the country. There are other police agencies, the state police and the local police that have authority under state and local ordinances to perform electronic surveillances. There are probably some illegal taps taking place by private individuals, but as far as the FBI is concerned, I'm confident that the number I've given you is the number there are.

Question:

Do you have any idea why the President chose to go outside the FBI to conduct his own investigation?

Answer:

No, I've seen in Mr. Krogh's affidavit that the speculation that it was because of Mr. Hoover's friendship with Mr. Marx, Dr. Ellsberg's father-in-law, the files don't indicate ... The FBI was continuing with this investigation as best I can determine from those files there was simply an alerting of the Director of the FBI that the White House was interested and that Mr. Krogh was the contact point there in the whole Pentagon papers matter. The FBI investigation continued and continued until the

trial started last February.

Question:

Mr. Ruckelshaus, may I ask you about this device in Mr. Halperin's house. Was this device in Mr. Halperin's house the kind of bug that would hear conversations inside the house whether or not the telephone was being used?

Answer:

No it is not. This is a telephone tap and not a microphone inside the ..

Question:

So there was no burglary involved here?

Answer:

No.

Question:

(Garbled question)

Answer:

The summaries were done primarily under or by Mr. Sullivan. Under his direction or by Mr. Sullivan.

Question:

Were these other taps on the home phones or office phones or both of the other people involved?

Answer:

Well, that question's been asked once before. I think it varied. I think there were some on the home phones and .. again, you'd have to review this entire set of records in order to be accurate about it.

Question:

Didn't you just do that?

Answer:

No we haven't. These records are very voluminous and complicated and until they are reviewed very carefully answering that kind of specific question is very difficult.

Question:

Was there any explanation by Mr. Sullivan why he felt that Mr. Hoover might use the material against the Administration?

Answer:

No, now Mr. Sullivan did not affirm that. Mr. Sullivan doesn't confirm that that was his reason for approaching Mr. Mardian. He said he approached him because he felt ... because of the extreme sensitivity of the records themselves. That was his response. What I said in my statement is what I believe, in quoting Mr. Mardian, is what I believe is the most logical explanation of why the records were taken to the White House. I think that's the reason. It probably is impossible to prove that that was the motive but I think that's the precise reason why they were taken there.

Question:

Are you going to make a supplementary statement at some point to answer a number of these questions that depend on your examination of these files?

Answer:

As far as explaining what happened, the explanation

I've given today is complete. Now as far as answering every question anybody can think up about this problem, I would ...

(interruption)

Question:

Could you tell us if there was a violation after you've reviewed the facts. You said you were going through a review now or ordered one to see if a law or regulation had been broken. If you find that out will you make a supplementary statement?

Answer:

Well, not necessarily. If there's been a law broken, it would be referred to the Justice Department just as any law that we find that is broken is so referred and it's not up to the FBI to make a determination as to whether a Grand Jury is convened or a prosecution is held, it is up to the FBI to enforce its own regulations and to the extent any of those regulations may have been violated and I don't know of any regulations, with the possible exception of Mr. Sullivan.

Question:

Are you going to give us a report when you finish this evaluation?

Answer:

Well, I don't know that another report would add much if I conclude that it would, why I will give another report.

Let's have one last question please.

Question:

Would you refuse to reveal these 17 names to the Senate investigating committee?

Answer:

In my present frame of mind, yes.

Thank you.

UNITED STATES GOVERNMENT

Memorandum

TO : The Acting Director

DATE: May 15, 1973

FROM : Legal Counsel *JAM*

SUBJECT: *Specov* ELECTRONIC SURVEILLANCE CONCERNING

LEAKS OF HIGHLY SENSITIVE AND
CLASSIFIED INFORMATION

MAY, 1969 - FEBRUARY, 1971

**ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED**

DATE 6/26/81 BY 2842 PMU/mae/pde

In view of your announcement on May 14, 1973, concerning the results of an official inquiry into the captioned surveillance and the disposition of records, I reviewed the law, applicable Executive Orders, and Department regulations to determine whether there appeared to be any violation of law based on the facts presented in your statement. My opinion is that the facts presented do not establish a violation of law.

Title 18, United States Code, Section 641, provides that whoever, without authority, disposes of any record of the United States or of any department or agency thereof, shall be fined not more than \$10,000, or imprisoned not more than 10 years, or both, if the record is valued in excess of \$100. The facts presented indicate that the Attorney General of the United States was consulted, therefore, the disposition of the records in this matter must be viewed as having been made with authority. Section 641 would not be applicable.

Title 18, United States Code, Section 798, prohibits the furnishing of information concerning the communication intelligence activities of the United States to an unauthorized person. Communication intelligence in the statute is defined as all procedures and methods used in the interception of communications and the obtaining of information from such communications by other than intended recipients. The term unauthorized person in this statute means any person who is not authorized to receive classified information by the President. Again, the facts indicate that the documents involved in this matter were received by the Assistant Attorney General of the Internal Security Division and by officials in the White House. There is no indication in the facts presented that the action taken by Mr. Sullivan resulted in furnishing classified material to any unauthorized person. Therefore, Section 798 would not apply.

1 - Mr. Mintz

JAM:mfd
(2)

JUN 4 1973

MAY 29 1973

CONTINUED - OVER

Mr. Felt ☒
Mr. Baker ☐
Mr. Callahan ☐
Mr. Cleveland ☒
Mr. Conrad ☒
Mr. Gebhardt ☒
Mr. Jenkins ☐
Mr. Marshall ☐
Mr. Miller ☒ E.S.
Mr. Soyars ☐
Mr. Thompson ☐
Mr. Walters ☐
Tele. Room ☐
Mr. Baise ☐
Mr. Barnes ☐
Mr. Bowers ☐
Mr. Herington ☐
Mr. Conroy ☐
Mr. Mintz ☒
Mr. Earley ☐
Mrs. Hogan ☐

Memorandum to the Acting Director
Re: ELECTRONIC SURVEILLANCE

During the time period May, 1969, through the Summer of 1971, when the files were apparently furnished to Assistant Attorney General Mardian, the applicable Executive Order was Executive Order 10501. Section 6 of that Order provided detailed instructions concerning the custody and safekeeping of classified material. In summary, it required that such material be kept in a secure safe. The facts indicate that the material was discovered in a safe in the White House, therefore, it appears that the safekeeping requirement of the Executive Order was satisfied.

Section 11 of Executive Order 10501 provides that the Attorney General shall personally render an interpretation of the regulations under Executive Order 10501 in connection with any problems arising out of their administration. The facts presented indicate that the Attorney General was consulted and it would be a reasonable interpretation of the facts that the disposition of the records following such consultation was proper under the then Executive Order.

Section 19 of Executive Order 10501 provided that the head of each department was to take prompt and stringent administrative action against any officer or employee determined to have been knowingly responsible for any release or disclosure of classified defense information or material except in the manner authorized by the Executive Order. Where a violation of criminal statutes may be involved that information was to be referred promptly to the Department of Justice. Therefore, it appears that the requirements of Executive Order 10501 were fully satisfied based on the facts presented.

Orders of the Attorney General applicable at the time clearly reserved to the Attorney General discretion concerning custody and disposition of records of the bureaus and divisions of the Department of Justice. Attorney General Order 381-67, the provisions of which were codified in Title 28 of the Code of Federal Regulations, particularly in Section 16.12, required prior Attorney General approval for disclosure of Department files. According to the facts presented, the action taken in transferring the file documents in this matter from the FBI to the Assistant Attorney General, Internal Security Division, and eventually to the White House, would have been proper where it was approved by the Attorney General.

According to the facts presented, the removing of files from the FBI without the approval of the Director of the FBI and transmitting those files to persons outside the FBI may have violated the internal practices

Memorandum to the Acting Director
Re: ELECTRONIC SURVEILLANCE

of the FBI, but it does not appear that the facts indicate there was a violation of law. No facts have been stated indicating files were destroyed or that they were furnished persons outside of the Executive Branch. Under these circumstances it appears that the authorization of the Attorney General and the Assistant Attorney General of the Internal Security Division was sufficient to justify the disposition of the files recovered in the safe in the White House.

RECOMMENDATION:

For information.

WDR *7* *JM*

Mr. RAME
Mr. Baker
Mr. Heim
Mr. Herington

CLYDE TOLSON

Clyde A. Tolson

May 17, 1973

Mr. Baker	
Mr. Callahan	
Mr. Cleveland	
Mr. Conrad	
Mr. G. W. Ford	
Mr. Jenkins	
Mr. Marshall	
Mr. Miller, E.S.	
Mr. Nevers	
Mr. Thompson	
Mr. Walters	
Tele. Room	
Mr. Baise	
Mr. Barnes	
Mr. Bowers	
Mr. Herington	
Mr. Conmy	
Mr. Felt	
Mr. Eardley	
Mrs. Hogan	

Specor

JUNE

Mr. [redacted]

The Washington Post
1150 15th Street, N. W.
Washington, D. C. 20005

b6
b7C

Dear Mr. [redacted]

There is not the slightest truth to the news account published last Tuesday in the Washington Post quoting former Assistant to the Director of the FBI, William C. Sullivan, as describing the late J. Edgar Hoover as "not of sound mind" in his last years.

This is simply the statement of a disgruntled former employee, William C. Sullivan, who was forced to retire from the FBI by Mr. Hoover in October, 1971.

Sincerely,

Clyde A. Tolson

Former Associate Director
of the FBI

REC-10

65-75085-18

cc Hon. Elliot Lee Richardson
Attorney General Designate

11 MAY 29 1973

Hon. William D. Ruckelshaus
Acting Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

5-TD

JUN 4 1973

DATE 6/26/81 BY 2842-PNV/mar/pdc

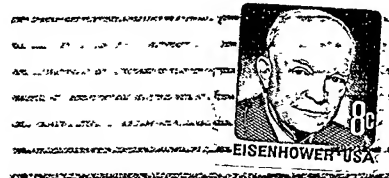
EXP. PROC.

MAY 21 1973

5-84 #1

UNRECORDED COPY FILED IN 67-9524 67-205182

CLYDE A. TOLSON
4936 30TH PLACE, N.W.
WASHINGTON, D.C. 20002



Honorable William D. Ruckelshaus
Acting Director
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C. 20535

18 DIRECTOR
18 MAY 21 1973

UNITED STATES GOVERNMENT

EXEMPTED FROM AUTOMATIC
DECLASSIFICATION
AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
EXEMPTION CODE 25X(1)
DATE 09-16-2011

Memorandum ROUTE IN ENVELOPE

TO : Mr. E. S. Miller *ESM*

~~TOP SECRET~~
~~SECRET~~

DATE: 5/18/73

FROM : W. R. Wannall *WRW*
SUBJECT: SENSITIVE COVERAGE PLACED
AT THE REQUEST OF THE WHITE HOUSE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

Class. by *FBI 9788*
11-21-82
Declassify on: *1. 7-13*
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

At 2:25 p.m., 5/17/73, Inspector D. E. Moore,

Intelligence Division, advised me he had just received a telephone call from Inspector Walters of the Inspection Division. Inspector Walters instructed that the original memoranda signed by former Attorney General John N. Mitchell authorizing technical surveillance (tesur) coverage of 17 individuals involved in captioned matter be delivered to the Office of Assistant Director Ivan Conrad together with a number of authorizations signed by Mr. Mitchell concerning tesurs he has approved in other cases. Mr. Conrad was to arrange for a handwriting comparison to establish whether Mr. Mitchell's signature on the authorizations covering the 17 individuals involved in this matter could be identified with his signatures on other authorizations.

Class. & Ext. By *1-2.4.2*
Reason-FCIM II, 1-2.4.2
Date of Review *5/18/73*

I personally went through two cartons of material relating to captioned matter which material had been received from the White House on 5/12/73 and removed the following:

(1) From a folder bearing the name "John Patrick Sears" a one-page memorandum for the Attorney General dated 7/23/69 and captioned "RE: JOHN PATRICK SEARS, TECHNICAL SURVEILLANCE REQUEST."

(2) From a folder captioned "Kalb, Marvin Leonard" a one-page memorandum for the Attorney General dated 9/10/69 and captioned "RE: MARVIN LEONARD KALB."

(3) An Acco-bound folder, the top serial on which was a memorandum for Mr. Sullivan dated 6/23/70 and timed 11:35 a.m., signed "Very truly yours, John Edgar Hoover, Director," and bearing over Mr. Hoover's name the inked initials JEH. This folder contained various serials relating to authorizations for installation of tesurs in captioned matter, including authorizations signed "John N. Mitchell" concerning 17 tesurs.

See Addendums, pages 2 and 3

WRW:mah

(1)

1072

~~TOP SECRET~~

MCT
KAS

MAY 29 1973
CONTINUED - OVER

65-75085-195-TJD

Original impounded by
court order. See memo
in 65-16062-13 *ESM*

~~SECRET~~

Memorandum for Mr. Miller
RE: SENSITIVE COVERAGE PLACED
AT THE REQUEST OF THE WHITE HOUSE

At approximately 3:10 p.m. I delivered the afore-mentioned material to Special Agent [redacted] Number One Man to Section Chief T. J. Smith, and instructed him to proceed to Mr. Felt's Office, secure a number of original authorizations signed by former Attorney General John N. Mitchell, carry them together with the above enumerated material to Mr. Conrad's Office who would arrange for handwriting comparisons. Mr. [redacted] was instructed that he should be present at all times while these examinations were conducted and all material should be under his observation. b6 b7C

ADDENDUM: [redacted] 5/18/73 CEE:mah *neh*

At 3:15 p.m., I proceeded to the Office of Associate Director W. Mark Felt. There I obtained from Miss [redacted] the following electronic surveillance authorizations signed by former Attorney General John N. Mitchell: b6 b7C

(S)	[redacted]	b1
	[redacted]	b3
(S)	[redacted]	Approval dated 12/22/69
	[redacted]	Approval dated 12/23/69
	[redacted]	Approval dated 12/22/69
	[redacted]	b1
	[redacted]	b3
	Leibel Bergman	Approval dated 12/19/69
	[redacted]	Approval dated 12/17/69
	BPP Headquarters	Approval dated 12/17/69
	[redacted]	Approval dated 12/17/69
(U)	Leibel Bergman	Approval dated 12/15/69

b7E *b6* *b7C* *S*

I then proceeded to the Office of Assistant Director Ivan W. Conrad where I spoke briefly with Inspector Briggs J. White who directed me to Section Chief Churchill F. Downing. I then proceeded to Mr. Downing's office where I meet with Messrs. Downing, Arthur E. Hegvold, and [redacted]. After a brief discussion as to the purpose of my visit, I went with Hegvold and [redacted] to the office of Mr. James H. Mortimer where Hegvold and [redacted] conducted the necessary document examinations. The material which was examined was under my observation at all times. At approximately 4:35 p.m., I proceeded to the Office of Associate Director Felt, returned to Miss [redacted] the authorizations which I obtained there. b6 b7C

~~SECRET~~

CONTINUED - OVER

~~SECRET~~

Memorandum for Mr. Miller
RE: SENSITIVE COVERAGE PLACED
AT THE REQUEST OF THE WHITE HOUSE

earlier and are enumerated above. I then returned to my office with the other documents in my possession and they remained in my possession until given to Inspector W. R. Wannall at 6 p.m.

ADDENDUM

W. R. WANNALL *WRL*

5/18/73

WRW:mah *mal*

b6

b7C

Upon receiving the material as described above from SA I immediately placed it back in the two cartons of material which had been received from the White House 5/12/73 from which it had originally been extracted by me.

~~SECRET~~

UNITED STATES GOVERNMENT

Memorandum

~~TOP SECRET~~
~~CONFIDENTIAL~~

~~SECRET~~

MR. FELT

DATE: May 18, 1973

L. M. WALTERS *LMW*

JUNE

AGE
SENSITIVE COVER PLACED AT THE
REQUEST OF THE WHITE HOUSE

S P E C I A L

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller *E.S.* _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conny _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

The results of interviews conducted during the Inspection Division special to reconstruct the missing sensitive files in this matter were recorded on Interview Report Forms (FD-302s).

There are attached the original FD-302s which should be forwarded to the Intelligence Division for review and thereafter filed in the special files unit along with other memoranda dealing with this matter.

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-16-2011

ACTION:

This memorandum and attachments should be forwarded to the Intelligence Division for their review, thereafter to be filed with other material in this matter.

Enclosures

~~ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.~~

1 - Mr. Miller

OTJ:wmj
(3)

Original impounded by
court order. See memo
in 63-16062-13 *LMW*

REC'd

63-75085-20

MAY 29 1973

Class. & Ext. By *2847-Pin/mag/rule*
Reason-FCIM II, 1-2.4.2
Date of Review *5/18/93*

Class. by *978 Pcs/Pr*
11-20-82

~~DECLASSIFIED ON~~

JUN 4 1973

~~TOP SECRET~~

~~CONFIDENTIAL~~
~~SECRET~~

S-T-J. SMITH

~~CONFIDENTIAL~~
FEDERAL BUREAU OF INVESTIGATIONDate of transcription May 12, 1973

During interview of former United States Attorney General John G. Mitchell, he was specifically asked if he had any information or knowledge concerning the recent disclosures and obvious leaks recently appearing in periodicals, specifically "Time" Magazine. Mitchell stated that Mark Felt of the FBI was responsible for these leaks. When asked to further explain, Mitchell stated he could not, under any circumstances, divulge his sources concerning this but he felt they (the sources) were totally reliable. Mitchell further stated he feels certain that former FBI Assistant Director W. C. Sullivan has also been responsible for some of these leaks to the news media.

Interviewed on 5/11/73 at 20 Broad Street, New York City

by Inspector N. F. Starnes and
SAC G. O. Watt:wmj

Date dictated 5/12/73

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011

BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~Date of transcription May 9, 1973

[redacted] Special Clerk, Washington Field Office, advised that he was assigned to the Telephone Monitoring Section at the Washington Field Office in 1969, 1970, and until mid-1971. He recalled that during this period of time he had occasion to monitor a telephone surveillance being maintained on a Dr. Morton Halperin. [redacted] said that he recalls that on one occasion he saw another employee's log wherein an entry had been made that [redacted] had stayed with Dr. Halperin over the weekend. During this visit [redacted] made a call out of the Halperin residence to a now unrecalled individual in an effort to [redacted]

b6
b7C

[redacted] could not recall anything else concerning this log entry, and that the only way he could fix a date to the call was that he believes this occurred before Halperin went to California to work at the Rand Corporation, which he thinks was in the Summer of 1970.

b6
b7C

[redacted] said that the name of [redacted] meant nothing to him at the time he observed the name on the log; however, his attention was directed to the information due to the fact [redacted] [redacted] considered this to be an unusual occurrence, inasmuch as Dr. Halperin was a member of the White House staff.

b6
b7C

[redacted] did not know when the telephone surveillance on Dr. Halperin was instituted or when it was discontinued.

b6
b7C~~CONFIDENTIAL~~Interviewed on May 9, 1973 at Washington, D. C.

File #

by Inspector J. E. Ziel and [redacted]
Special AgentMay 9, 1973~~CONFIDENTIAL~~
Date dictatedb6
b7C

65-75085-20

FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011Date of transcription May 18, 1973

[redacted] Special Clerk, Washington Field Office (WFO), one of the two primary monitoring employees assigned to the task of monitoring the special White House request on wiretaps of certain members of the news media and of the White House staff, was reinterviewed. The purpose of this interview was to more clearly pinpoint the monitoring termination date on this project which [redacted] previously estimated as mid-1971.

b6
b7C

[redacted] now recalls that on 2/21/71 he celebrated his 20th Anniversary in the Bureau and at that time had already been reassigned from the Telephone Monitoring Section to another section entailing work outside the WFO building. He furnished a copy of a memorandum (attached) dated 2/17/71 showing this transfer. [redacted] recalls that this White House project was terminated about two weeks before he was transferred. He recalls that during the two weeks between the termination of this project and his transfer he was assigned to another unrelated monitoring task in the WFO building. [redacted] concluded by saying this is as close as he can come to giving a termination date to this project.

b6
b7C~~CONFIDENTIAL~~

Interviewed on 5/18/73 at Washington, D. C. File # _____
by Inspector J. E. Ziel:wmj Date dictated 5/18/73

~~CONFIDENTIAL~~

February 17, 1971

MEMORANDUM

Effective 2-22-71 the following transfers are to take place:

SA [redacted] from S-4 to S-2

SA [redacted] from S-4 to S-2

SA [redacted] from S-4 to S-4

SA Robert J. Colling from S-6 to S-4

Clerk [redacted] from S-6 to S-4

b6
b7C

Clerk [redacted] from S-6 to S-6

MR [redacted] from S-5 to S-4

Clerk [redacted] from S-4 to S-6

Above personnel report to respective supervisors of indicated squads for assignment.

ROBERT G. KUNKEL
SAC

1- Each Listed Above

1- SAC

1- Mr. [redacted]

1- Mr. [redacted]

1- Mr. [redacted]

1- Mr. [redacted]

1- Mr. Gruentzel

b6
b7C

1- Mr. [redacted]

1- Mr. [redacted]

1- Mr. [redacted]

1- Mrs. [redacted]

1- Mrs. [redacted]

1- GS-2873

~~CONFIDENTIAL~~

CJJ:bjd
(30)

FEDERAL BUREAU OF INVESTIGATION

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011

~~CONFIDENTIAL~~Date of transcription May 9, 1973

[redacted] Special Clerk, Washington Field Office, advised that he is assigned to the duty of monitoring telephone surveillances (wiretaps) maintained by the Washington Field Office and was so assigned in 1969 and 1970. [redacted] recalled that he monitored a telephone surveillance on a Dr. Morton Halperin, who was employed at the National Security Council. [redacted] said that Dr. Halperin appeared to be a close friend of a [redacted] [redacted] as [redacted] on occasion stayed at Halperin's house overnight. He believes this was in late 1969 or early 1970. [redacted] does not recall any details relating to [redacted] visits with Halperin or in conversations Halperin might have had with other individuals contacting him by phone concerning [redacted]

b6
b7C

[redacted] was unable to recall when the telephone surveillance on Halperin was originally placed or when it was discontinued.

Interviewed on May 7, 1973 at Washington, DC ~~CONFIDENTIAL~~ File #

by Inspector J. E. Ziel and
Special Agent [redacted] *AID*

Date dictated May 9, 1973b6
b7C

65-75085-20

FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011Date of transcription May 18, 1973

[redacted] Special Clerk, Washington Field Office (WFO), one of the two primary monitoring clerks assigned to the task of monitoring the special White House request on wiretaps of certain members of the news media and the White House staff, was reinterviewed. The purpose of this interview was to more clearly pinpoint the monitoring termination date on this project which [redacted] previously estimated as January or February, 1971.

b6
b7C

[redacted] recalls that he was transferred from the Telephone Monitoring Section to another section about two weeks after this project ended. He recalls that during that approximate two-week period he was assigned to another unrelated monitoring project. He now knows, after seeing a copy of the interoffice transfer memorandum dated 2/17/71, that his transfer was effective 2/22/71.

b6
b7C

[redacted] stated that this is as close as he can come to the exact termination date of this special project.

~~SECRET~~

Interviewed on 5/18/73 at Washington, D. C. File # _____
by Inspector J. E. Ziel :wmj Date dictated 5/18/73

~~CONFIDENTIAL~~

65-75085-20

FEDERAL BUREAU OF INVESTIGATION

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011

~~CONFIDENTIAL~~Date of transcription May 12, 1973

On May 11, 1973, Special Agent Robert H. Haynes, Supervisory Special Agent, Intelligence Division, Federal Bureau of Investigation (FBI), was interviewed concerning his knowledge of possible wiretaps on newsmen and Government officials between 1969 and 1971 which were conducted by the FBI at the request of the White House.

During 1969 and up to and including the present time SA Haynes has been responsible for certain liaison functions between the FBI and the White House.

It is SA Haynes' impression that sometime in 1969 Assistant Director William C. Sullivan received requests from an official at the White House by telephone for installation of wiretaps on unidentified individuals. He is also reasonably certain that General Alexander Haig on the White House staff called him, Haynes, on one occasion for coverage on an individual whose identity is not now recalled by SA Haynes. SA Haynes passed this oral request on to Assistant Director Sullivan and has no knowledge as to what further action might have been taken regarding it.

SA Haynes knew that former SA Bernie Wells was assigned by Sullivan to prepare letters to the White House regarding results of the wiretaps. He thinks, but is uncertain as to dates, that he began delivering these letters to the White House in the latter part of 1969.

With respect to the letters prepared by Wells, SA Haynes would get a telephone call from Miss Helen Gandy in the Director's Office that she had a letter for the White House. Haynes would then go to Miss Gandy's office and pencil a note on the yellow file copy, "Delivered by Liaison," and note the date and his initials. The original, the only other copy, would then be placed in an envelope and sealed. The letter would contain the name of the addressee. SA Haynes recalls that these letters were addressed in the beginning to Dr. Kissinger and later to H. R. Haldeman. SA Haynes also seemed to recall that during the early part of this program there were dual original letters, one addressed to the President and one to Dr. Kissinger.

Interviewed on May 11, 1973 at Washington, D. C.

by SA Theodore L. Gunderson and

SA [redacted] gms

~~CONFIDENTIAL~~Date dictated May 11, 1973b6
b7C

65-750 25-20

~~CONFIDENTIAL~~

If this recollection is correct, both letters were delivered to General Haig or Haig's secretary, [REDACTED] b6 b7C

SA Haynes had no recollection of any letters to the Attorney General in connection with this program and said deliveries of any such letters would have been handled out of the Director's Office.

Although SA Haynes said he had a chance to read the letters when he was initialling the file copies, he deliberately avoided doing so because of the sensitivity indicated concerning them. He said he merely wanted to carry out his responsibility of personally delivering the letters to the offices of the addressees. In the event SA Haynes was on leave during the period of this program, the deliveries of the letters would have probably been handled by his alternate, SA [REDACTED] SA Haynes has no idea as to the total number of letters delivered to the White House in connection with this program but furnished the number of 40 as a rough estimate. b6 b7C

In regard to the letters to H. R. Haldeman, SA Haynes recalled that he was required to personally put them into Haldeman's hand or his Deputy, [REDACTED]. As a practical matter all but one or two of these letters were handed to [REDACTED] by Haynes. b6 b7C

SA Haynes has no knowledge of any correspondence regarding authorization of these wiretaps but is satisfied in his own mind that the wiretaps had been approved by the Attorney General.

Sometime after Sullivan moved into his office in the Justice Building and prior to Sullivan's retirement, SA Haynes believes he got a telephone call from [REDACTED], Deputy to H. R. Haldeman, White House, who asked SA Haynes to come by and pick up certain letters furnished to the White House regarding the sensitive coverage. SA Haynes has no idea as to what the circumstances were which prompted this action. b6 b7C

Upon arrival of SA Haynes at [REDACTED] office, [REDACTED] took from a safe in his office a folder which appeared to contain correspondence only from the FBI. [REDACTED] wanted to return to the FBI the letters relating to the sensitive b6 b7C

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coverage. These letters were intermingled with other FBI correspondence. SA Haynes sat down with [] and picked out those letters that related to sensitive coverage. He was able to do this, he said, by examining phraseology of the letters and utilizing experience and knowledge acquired through '23 years' service in the FBI. b6 b7C

Shortly thereafter, days or weeks, SA Haynes' best recollection is that Sullivan told him Mardian had made arrangements for retrieval of the Presidential and Kissinger letters. In connection with these letters he recalls that there was a list on plain bond paper showing dates of the letters and to whom addressed, i. e., the President, Dr. Kissinger, or H. R. Haldeman. SA Haynes then went to see General Haig who made available his office file and SA Haynes secured the letters. General Haig then referred SA Haynes to [] Assistant to John Ehrlichman, regarding other letters. These letters were then obtained by SA Haynes and all of the letters obtained from General Haig and [] were then returned to William C. Sullivan. b6 b7C

Former SA Bernie Wells and SA Haynes checked against yellow file copies to account for all the letters. SA Haynes said there were also the lists of names, and after checking the lists he feels there were definitely some letters missing. He thinks he might have gone back to the White House to check, but he is not sure about this. He does not know whether all letters were eventually accounted for.

The last time Haynes saw these letters was in Sullivan's office in the Justice Building within a month or so before Sullivan's retirement.

SA Haynes has no knowledge concerning the circumstances which brought about the discontinuance of these wiretaps other than possibly a lack of productivity.

SA Haynes has no knowledge concerning the removal of the records from the FBI regarding this sensitive coverage but suspects that if the records were removed they would have been transferred to the then Assistant Attorney General Mardian, who SA Haynes believes had some interest in getting the records from the White House.

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SA Haynes stated that at the time he and SA Wells inventoried the original White House summaries he did not recall seeing any correspondence from the Attorney General to the FBI or from the FBI to the Attorney General. He has no knowledge as to whether or not the Department Of Justice summaries were ever inventoried by Wells or Mr. Sullivan.

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[redacted], Special Clerk, Washington Field Office, advised that sometime beginning in mid-1969 he was assigned as a relief man or "swing man" in connection with the monitoring of a telephone surveillance (wiretap) of a Dr. Morton Halperin. [redacted] said that the only thing he can now recall concerning the telephone surveillance of Dr. Halperin is the fact that Halperin was a close associate of [redacted] and that he conversed with [redacted] in late 1969 and early 1970. [redacted] could not recall any details concerning conversations Halperin had with [redacted], nor could he recall the exact dates of these conversations. [redacted] did not know when the telephone surveillance on Halperin was first instituted, nor when it was discontinued.

b6
b7CInterviewed on May 7, 1973 at Washington, D. C. ~~CONFIDENTIAL~~ #by Inspector J. E. Ziel and Special Agent [redacted] ~~CONFIDENTIAL~~ #
b6
b7C Date dictated May 9, 1973

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ROBERT C. MARDIAN

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Envelope

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INTERVIEW LOG

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PERSON INTERVIEWED: ROBERT C. MARDIAN
PLACE OF INTERVIEW: PHOENIX, ARIZ.
DATE OF INTERVIEW: MAY 10, 1973
INTERVIEW BEGAN: 4:03 PM
ADVISED OF RIGHTS: 4:04 PM
INTERVIEW TERMINATED: 7:12 PM

SPECIAL AGENT E.T. Zinner
Inspector William G. Menche

Contents of Envelope

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~~CONFIDENTIAL~~Date of transcription May 9, 1973

William C. Sullivan, Director, Office of National Narcotics Intelligence, U. S. Department of Justice (formerly Assistant to the Director, FBI) after having been advised of the nature of the inquiry by interviewing Agents, requested that all questions concerning this matter be directed to him in writing. He stated he would then, to the best of his ability, answer each question presented.

Interview was concluded at this time.

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by Inspector N. F. Stames and
Special Agent G. O. Watt

~~CONFIDENTIAL~~Date dictated May 9, 1973

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DATE 09-19-2011

~~CONFIDENTIAL~~Date of transcription May 14, 1973

Mrs. [] was interviewed on May 7, 1973, by Inspector William A. Meincke and Special Agent E. T. Zinn in her office in the Intelligence Division, FBI, located at Ninth and D Streets, Washington, D. C.

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Mrs. [] was advised at the onset of the interview that the reason for this interview was to determine all information she may possess regarding a very special wiretap program which was placed on White House employees and members of the news media during the period 1969 - 1971. This program was under the control of Assistant Director William C. Sullivan and analysis of the wiretap logs was done by Supervisor Bernard Wells under specific orders of Mr. Sullivan.

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She advised she was [] Mr. Sullivan during the period 1969 through July, 1970, when Mr. Sullivan became Assistant to the Director. She said she handled mainly administrative functions in Mr. Sullivan's outer office. This was mainly a coordinating function regarding the activities of secretaries and clerks in Mr. Sullivan's front office. She said she had no direct knowledge of the wiretap program in question. She said she had general knowledge of the fact that [] and [] worked on a special program for Mr. Sullivan that had to do with wiretaps and that they took dictation from Mr. Wells on this program.

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She said she took no dictation on this project that she could recall, did no typing and did not file any material concerning this project. She said she took very little dictation from Mr. Sullivan on any matters as her duties were mainly administrative. The dictation she did take was usually concerned with speech matters in which Mr. Sullivan was involved. She also took his outside formal correspondence. She insisted she had no direct knowledge of any phase of the special program Mr. Sullivan was running.

Mrs. [] recalled that in 1969 and through July, 1970, a sealed envelope arrived from the Washington Field Office of the FBI almost every day which she surmised was connected with this wiretap operation. Mrs. [] said she never opened this envelope and simply took it into Mr.

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b7CInterviewed on May 7, 1973 at Washington, D. C.

File #

by Inspector William A. Meincke and
SA E. T. Zinn:gms~~CONFIDENTIAL~~

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Sullivan's office for his attention.

She was asked specifically if when filing Mr. Sullivan's correspondence and speech matters she noticed any wiretap logs or any written material that pertained to this very special project. She replied, "No."

She was specifically asked if she could recall taking any dictation at all in connection with requests of the Attorney General's authorization for wiretaps in this project. She said, "None that I can recall."

She said she took dictation or was a secretary to Mr. Sullivan for many years. As best as she could recall, this dated back to when Mr. Sullivan was a Unit Chief in the Domestic Intelligence Division.

Mrs. [] was asked if she has had any contact with Mr. Sullivan since he left the FBI. She said she has had contact with him but refused to disclose the nature of these contacts or the conversation which took place.

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Donald E. Moore, Number One Man, Intelligence Division, was interviewed by Inspector William A. Meincke and Inspector's Aide E. T. Zinn. At the onset of the interview Mr. Moore was advised that he was being contacted regarding any direct knowledge he possessed concerning alleged wiretaps of White House officials and members of the news media, which were instituted during the period 1969 through 1971.

Mr. Moore advised that he was generally aware of the existence of a very special program supervised directly by former Assistant Director William C. Sullivan and Bureau supervisor Bernard Wells. He was specifically asked whether or not he was briefed or present at a conference concerning the alleged wiretap. He advised that he could recall no specific briefing nor did he attend a conference concerning this matter but said emphatically that he was aware of the existence of the program. He advised that it was his understanding that the purpose of the wiretaps was to determine the existence of leaks dealing with National Security Council information. Mr. Moore said that he was unaware of any newspaper people being involved and felt that the taps were solely on employees of the White House. He advised he could not now recall how he learned of these facts.

He advised that he had no direct dealing with the special program nor did he handle any logs or paper work resulting from the program with the exception of one occasion. Mr. Moore stated that as best as he could recall this occurred in 1970, when he was Number Two Man in the Intelligence Division. He said that Assistant Director William C. Sullivan had left Washington to make a speech, possibly in Chicago, and Mr. Sizoo, the Number One Man, was either on leave or away from the Division for an official reason. During this period of time, which was approximately three days, Mr. Moore advised that he was placed in charge of the Division by Assistant Director William C. Sullivan. Prior to Mr. Sullivan's leaving to make the speech he advised that Mr. Moore should be particularly alert for any information arising from the program handled by Supervisor Bernard Wells. Mr. Moore advised that he was given no specific information concerning the program although he knew it was the program concerning wiretaps at the White House.

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Mr. Sullivan said that if anything "startling" resulted from the program that he, Mr. Moore, was to call Miss Gandy, Mr. Hoover's secretary, immediately and relay the information to her. Under no circumstances was he to advise Assistant to the Director Cartha D. DeLoach. No other instructions were given by Assistant Director William C. Sullivan and no instructions were given concerning other dissemination or reducing logs to any other form of Bureau communication. He advised that he recalls that logs, possibly two or three pages, pertaining to the program did come to his attention during this three-day period; however, they contained no "startling" information and, therefore, it was unnecessary to relay the information to Miss Gandy.

Mr. Moore advised that this information came to him in a sealed envelope. He said that as best as he could recall it was either delivered to him by Supervisor Bernard Wells or Mr. Sullivan's [redacted] b6
[redacted] He advised that due to the time lapse he could not be sure of b7C
precisely who made this delivery.

He said after he read the logs and noted no "startling" information he resealed the logs and left them for Mr. Sullivan's attention upon his return. He advised that this was strictly normal procedure and he left the sealed envelope, along with other communications, which would normally be left for Mr. Sullivan's attention on his return from official trips.

Mr. Moore was asked specifically as to where Mr. Sullivan filed this material or if the file was in fact maintained at all. Mr. Moore said he had no firsthand information concerning the filing of this material except that he knew it did not leave the front office and was not handled or filed in normal course of Bureau business. He said he thought that Mr. Sullivan kept this in his desk as a separate file -- beyond that, he had no further information.

He was asked who in the front office of the Intelligence Division may have further information concerning this matter or who may have actually handled written communications concerning these wiretaps. Mr. Moore said of his own personal knowledge he did not know specifically who handled the information; however, he said that Mr. Sullivan frequently dictated

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extremely sensitive information and communications to his own [redacted]
[redacted] and on many other occasions specifically
requested the services of his. Moore's. [redacted]

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[redacted] It was his
recollection that the latter two secretaries were designated by Mr. Sullivan
to type any communications resulting from this program.

Mr. Moore also advised that Mr. Sullivan's Number One Man, Joseph Sizoo, would have been in a position to know about the program had Assistant Director Sullivan taken him into his confidence. Mr. Moore said that he knew for a fact that Supervisor Bernard Wells was involved in the program and actually handled it for Assistant Director Sullivan.

Mr. Moore said that he is sure that there were other individuals in the Intelligence Division who learned of the program but to his knowledge none were in a position to know any factual information. Their information derived mainly from rumor.

In summation, Mr. Moore advised that he did not know the specific identity of any official in the Department of Justice or the FBI responsible for carrying out this very special program other than the individuals mentioned above. He said that he did not know the names of any newspaper men or White House officials on whom the wiretaps were allegedly placed. Mr. Moore said that for the short period of time, three days, that he had anything to do with the program, although he saw logs, he could not now remember the identities of the individuals named in the logs. He advised that he did not know the dates the wiretaps were placed and could only estimate the date they were discontinued as on or about June, 1971. Mr. Moore reiterated that he knew of no existing documentation nor any files pertaining to this very special program.

Donald E. Moore, during the course of an interview, advised that during the period of time the wiretaps were in existence Mr. Sullivan was visited on numerous occasions by individuals from the White House. Donald Moore was asked the identity of these individuals, to which he replied "General Haig" and "Tom Houston." He was asked specifically whether or not he knew the purpose of these visits. Moore replied "To read the taps."

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Mr. Moore immediately corrected himself and said that it was only his presumption that these individuals came to review the results of the wiretaps. He insisted that he had no firsthand knowledge that the above two individuals did in fact review the taps.

He said, however, that it would not be unusual inasmuch as the taps were approved by Mr. Hoover. Assistant Director Sullivan, therefore, would disseminate the information to interested parties in the White House. Mr. Moore assumed that General Haig and Tom Houston were there specifically for that purpose.

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John J. McDermott, Special Agent in Charge, Washington Field Office, furnished the following information:

McDermott advised that he was Assistant Special Agent in Charge in the Washington Field Office prior to and up until April, 1969, when he was transferred as Special Agent in Charge of the Alexandria Field Office.

During this period of time, McDermott stated he had never heard any talk or information about wiretaps on members of the White House staff or of members of news media. McDermott stated that he returned as Special Agent in Charge of Washington Field Office on October 24, 1972. About two months later he was in a conference on another matter with Supervisor [] at which time information was called to his attention that the White House had expressed concern over leaks to the news media. [] indicated that he had received instructions from a Domestic Intelligence Division representative, who [] did not identify, to institute wiretaps. [] instructions were received by telephone and he was told in the strictest terms there would be no official record made of this request in the Washington Field Office. [] advised that these instructions had been received over a year previously.

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McDermott stated although he has no personal knowledge of the wiretaps, the personnel within the Washington Field Office who would have complete knowledge of this operation would be [] Ernest Belter, now retired; and two Special Clerks who handled all technical coverage on these special taps according to []. As far as the mechanics of the technical coverage, [] has all information within his possession. McDermott advised that as far as he knows there is no documentation or record of any kind on this matter in the Washington Field Office files.

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McDermott stated that at the time in 1969 he was Assistant Special Agent in Charge in Washington Field Office, Joseph Purvis was the Special Agent in Charge and Purvis was transferred on or about June 4, 1970, to

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Special Agent []

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the Savannah Office at which time Ed Tully was designated Special Agent in Charge at Washington Field Office and he remained for only three or four weeks in this position before retiring. Tully was followed by Special Agent in Charge Kunkel, who held the Special Agent in Charge position until October, 1972. McDermott advised also that the Assistant Special Agent in Charge of the Washington Field Office subsequent to his tenure there was Ed Campbell who is now an Inspector assigned to the Training Division at Quantico, Virginia. Campbell held the Assistant Special Agent in Charge at Washington Field Office position until January, 1973, when he was replaced by present Assistant Special Agent in Charge Bill Williams. McDermott feels that Belter would be in a position to furnish complete details of any wiretaps and although recently retired he would fully cooperate in this confidential matter as he is an unimpeachable man of integrity.

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On May 8, 1973, Russell H. Horner, Supervisor in Charge, Special Records and Related Research Unit, Intelligence Division, Federal Bureau of Investigation, was interviewed concerning possible knowledge of wiretaps conducted by the FBI at the request of the White House. Special Agent Horner furnished the following information:

From about May, 1968, until July 30, 1971, SA Horner worked in the same unit with former Special Agent Bernie Wells. As a result of this association SA Horner became aware that the FBI was maintaining an unknown number of wiretaps on individuals, unknown to SA Horner, at the request of the White House. He learned that Bernie Wells had been assigned to handle the results of these wiretaps which he understood involved sensitive, high-level national security matters. He believed he was told by Wells that these wiretaps had been requested by President Nixon.

Through Wells SA Horner learned that Wells had been assigned by then Assistant Director William C. Sullivan to review the logs of these wiretaps and dictate memoranda. SA Horner believes Wells was assigned exclusively to this task. Wells indicated to SA Horner that these wiretaps were of an extremely sensitive nature and information concerning them was tightly held within the FBI on a strict need-to-know basis. According to SA Horner, Wells was extremely cozy about these wiretaps and never furnished any specific information concerning them to him.

SA Horner's best recollection is that Wells was involved in these wiretap activities from about the latter part of 1970 through sometime in 1971 prior to William C. Sullivan's retirement.

SA Horner never became aware of the identities of any of the individuals on whom wiretaps had been placed at the request of the White House; never substituted for Wells in the handling of any aspects of these wiretaps; and has no knowledge as to the nature of any communications which were prepared in connection with their authorization, transmittal of results, or discontinuance. It was his impression that any communications prepared were being routed through regular Bureau channels but on a high level. No

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SA [redacted] gms

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one else handled the project in SA Wells' absence. The material was maintained in Mr. Sullivan's office until he returned, at which time SA Wells reviewed it.

The only occasion SA Horner actually saw any logs which Wells was reviewing was sometime in 1971 prior to Sullivan's retirement. He recalled there was some type of crisis and Wells called him into Sullivan's office to review two folders of logs to see if some name, not now recalled, was mentioned. Wells told him that Sullivan had cleared him to assist on this one occasion because of the urgency of the matter. SA Horner does not now recall the identities of any of the individuals involved in the logs or any other information contained in them.

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SA [] Supervisor, Intelligence Division furnished the following information:

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Approximately one week after the death of Director Hoover he was instructed by William Branigan, Section Chief, Intelligence Division, to report to Mr. Felt's Office for assignment. This assignment consisted of inventorying and cataloging the contents of what [] recalls as approximately twelve drawers of file material which apparently had been in Mr. Hoover's Office. [] stated that there was no alphabetical, chronological or other order apparent to the contents of these drawers. However, he did advise that Miss Gandy had two index boxes of three by five cards which referred to the material in these cabinets but from which it was very difficult and practically impossible to locate the documents in the cabinets. After rearranging most of this material over a three week period and excluding anagram and training material, [] inventoried the contents of each drawer and placed that inventory in the front of each drawer. He then subsequently arranged the contents of the drawer inventories in an alphabetical listing which consisted to the best of his recollection of about 25 pages and which he then turned over personally to Mr. Felt. He made no extra copies of this alphabetical inventory nor of the inventory contained in each drawer. Furthermore, he personally destroyed all notes that he used in dictating to stenographers [] and [] of the Intelligence Division, as well as their stenographer notes.

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In going over all of the contents of these drawers [] stated that he did not read each and every piece of correspondence in the folders or envelopes since much of the material was very old and had little interest to current operations of the Bureau. He recalled absolutely no correspondence anywhere relating to wiretaps on individuals of the White House staff or members of the news media either recently or in the distant past. He does remember three or four brown sealed envelopes that belonged to former Assistant Director Sullivan and the contents therein involved Dr. Martin Luther King. [] observed the contents of these envelopes because he recalls resealing the envelopes and placing his initials on same. He observed a folder on former Attorney General John Mitchell; however, in

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reviewing this folder recalls nothing significant to wiretaps. There was only one folder concerning President Nixon and this folder contained President Nixon's Special Agent applicant investigation. [] could recall no folders or envelopes relating to any recent members of the White House staff, the White House in general or the Attorney General's Office. He did recall folders on some former Attorney Generals such as McGrath and Biddle.

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May 12, 1973

Miss Edna Holmes, 2700 North Fillmore Street, Arlington, Virginia, was personally interviewed on the afternoon of May 11, 1973, by Inspector Gordon E. Malmfeldt and Special Agent Fern C. Stukenbroeker regarding her knowledge of procedures utilized during the period of 1969 through 1971 in handling requested authorization for wiretaps from the Attorney General.

She was specifically questioned about any coverage authorized on White House and news media personnel. Miss Holmes said she had no recollection of any such authorization. She explained that on very sensitive requests she would receive a sealed envelope from Miss Gandy to be delivered to the Attorney General's office and was not aware of the contents but delivered the envelope to a secretary in the Attorney General's office and did not wait for any response. On normal authorization requests for security and organized crime wiretap matters, Miss Holmes said she was given a copy of the request which she held in her office until the original was returned from the Attorney General's office. In such situations, the Attorney General's secretary would call her indicating that the reply could be picked up. She stated that five occasions at the most involved the sealed envelope procedure and that this number was purely a guess. She kept no records of the requests once they were approved and no record whatever of the situations where she merely carried over a sealed envelope. In essence, she was a messenger between the Director's and Attorney General's offices.

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by Inspector G. E. Malmfeldt and Date dictated May 11, 1973
Special Agent F. C. Stukenbroeker:bhg

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[redacted] Special Clerk, Washington Field Office (WFO),
furnished the following:

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He was assigned to the Telephone Monitoring (wiretaps) Section in 1969 and recalls that in May or June, 1969, a special project was instituted to discover a possible leak arising from employees working within the White House. He was contacted by former supervisor Ernest Belter, now retired, and was told that he would relieve [redacted] and [redacted] on occasions on this project. He was instructed that the FBI would not follow their usual instructions in that he was to make only one copy of a log instead of the usual four or five; he was not to initial the log, which is standard procedure; and he was to erase any tapes in these matters. He was instructed by Belter not to discuss this project with anyone and all logs were to be collected on a daily basis and given to [redacted] supervisor in charge of security matters, in the WFO. He knew that the logs were then hand carried to the Domestic Intelligence Division (DID) at Ninth and D Streets.

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He received the definite impression that this sensitive project was instituted by former Assistant Director William Sullivan as on one occasion he recalls he personally delivered an envelope containing the results of the wiretap to the DID. He was told to deliver the package for the attention of Assistant Director Sullivan. He recalls turning over the package to an employee with the instructions that this data be immediately furnished to Sullivan.

He formed the definite impression that General Haig was the person to whom the FBI was furnishing the results of the wiretaps. He could not explain why or how he received this impression. To the best of his knowledge the monitoring of telephones continued for about one year and a half having been terminated sometime in 1971, but he cannot recall the months nor dates.

In connection with the wiretaps, [redacted] specifically recalls wiretaps were placed on the home telephone numbers of each of the following individuals:

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SA [redacted] gms Date dictated May 11, 1973

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Henry Brandon
Dr. Morton Halperin
Tony Lake
Daniel Davidson
William Safire
Winston Lord
Colonel Robert Pursley

Marvin Kalb
William Beecher
Ambassador Richard F. Pedersen
John Patrick Sears
Richard Moose
Helmut Sonnenfeldt

In connection with the information that [redacted] overheard and/or logged in connection with each of the above wiretaps, the following information is set out to the best of his recollection:

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Henry Brandon: [redacted]

[redacted]

OTHER

[redacted] Brandon was single when the wiretap was first instituted but later married a woman nicknamed [redacted] who appeared to be involved in the social set in Washington, D. C.

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Dr. Morton Halperin: [redacted]

[redacted]

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Order

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OTHER

Sealed pursuant to U.S. Court
Order

[REDACTED]
after that he believes the wiretap was terminated.

Tony Lake: [REDACTED]
[REDACTED]

Daniel Davidson: [REDACTED]
[REDACTED]

William Safire: [REDACTED]
[REDACTED]

Winston Lord: [REDACTED]
[REDACTED]

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OTHER

Sealed pursuant to U.S. Court
Order

Colonel Robert Pursley: Pursley, who later became a
General, was employed at the
Pentagon [redacted]
[redacted]

Marvin Kalb: Newsman, CBS, who would contact [redacted]
[redacted] but nothing ever signifi-
cant pertaining to the wiretap.

William Beecher: He was a newsman who would make several
phone calls in connection with his business
but nothing significant recalled.

John Patrick Sears: [redacted]
[redacted]

Richard Moose: He recalls a wiretap being on his residence
and recalls the name but believes no activity
was ever reported on this man.

Helmut Sonnenfeldt: [redacted]
[redacted]

Based upon his recollection, [redacted] could recall no incidents of
any information received that would be considered a breach of the national
security of conversations he overheard on the telephone monitoring.

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[redacted] Special Employee, Washington Field Office (WFO), advised that he was instructed in 1969, exact dates nor month not recalled, by Ernest Belter, a former Supervisor in the WFO, now retired, that he would on occasions assist [redacted] in a special telephone monitoring project. [redacted] said he basically could furnish no significant information as he does not recall ever logging any information received from any wiretaps on this project. He believes that the project was instituted by the White House to determine if there was a leak by certain employees to individuals not authorized to receive security information.

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In connection with the wiretaps, [redacted] specifically recalls wire-taps were placed on the home telephone numbers of each of the following individuals:

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Henry Brandon

Dr. Morton Halperin

Colonel Robert Pursley

William Beecher

Ambassador William Sullivan

Helmut Sonnenfeldt

In connection with his duties he can only recall that Henry Brandon as well as Dr. Morton Halperin both had telephone conversations with

OTHER

[redacted] the White House. The other individuals, Colonel Robert Pursley, was connected with the Pentagon; William Beecher, a reporter for the New York Times; Ambassador William Sullivan of the State Department; and a White House employee Helmut Sonnenfeldt. He can recall no details regarding these individuals but only recalls that wiretaps were placed on their phones. In an attempt to pinpoint the exact dates of this special project [redacted] would only say he felt that it was around 1969 and 1970.

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b7CSealed pursuant to U.S. Court
Order

May 7, 1973

at Washington, ~~CONFIDENTIAL~~

SA Joseph E. Zief and

SA [redacted]

gms

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Date dictated

May 11, 1973

65-75085-20

FEDERAL BUREAU OF INVESTIGATION

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011

Date of transcription May 11, 1973

[redacted] a Special Employee of the Washington Field Office (WFO), advised that he believes he first became assigned to the White House wiretap project in approximately October, 1970. He could not recall the specific date but does know that he was not in on the project from the beginning. During this assignment he worked a sort of relief or swing shift, working with other clerks of WFO, namely [redacted]

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[redacted] He did not receive any instructions from anyone other than [redacted] which involved only the fact that one copy only of the log should be made and that no initials were to be placed on it. He personally typed all information which he thought pertinent to possible White House leaks on a log directly from the tape or immediately after hearing a short conversation. He did not turn over the tapes of any of these wiretaps to anyone and believes they were put in the stack to be erased and reused.

He recalls that he did monitor conversations on the following home phone numbers:

Henry Brandon

Dr. Morton Halperin

Tony Lake

Daniel Davidson

Winston Lord

Colonel Robert Pursley

Marvin Kalb

William Beecher

Interviewed on May 7, 1973 at Washington, D. C. File # _____by Inspector J. E. Ziel and [redacted] Date dictated May 8, 1973Special Agent [redacted] bhgb6
b7C

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65-75085-20

Ambassador Richard E. Pedersen

Ambassador William Sullivan

James W. McLain

OTHER

Helmut Sonnenfeldt

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In connection with the wiretaps which he monitored, the following is to the best of his recollection the information which he received on each of these individuals:

Henry Brandon: He could recall nothing specific about Brandon but



Dr. Morton Halperin: He recalls no information concerning Dr. Halperin.

[redacted] He believes he heard somewhere during the course of his monitoring this phone that [redacted] Other than that he recalls no information.

Daniel Davidson: He recalls no information about Daniel Davidson.

Winston Lord: He recalls that [redacted]

[redacted]
He recalls no other information on Lord.

Colonel Robert Pursley: He recalls that [redacted]

[redacted]
[redacted] He could recall no other information received on Pursley's phone.

Marvin Kalb: He could recall no information received on Kalb's phone.

William Beecher: He could recall no information received on Beecher's phone.

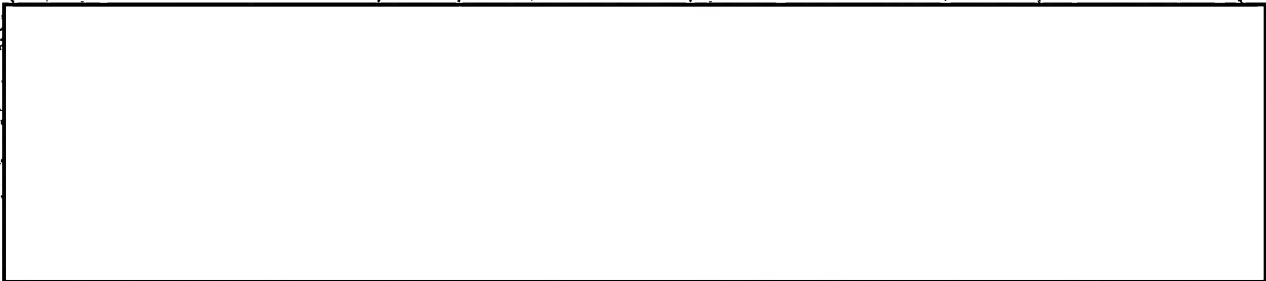
~~CONFIDENTIAL~~

Ambassador Richard F. Pedersen: He could recall no information received on Pedersen's phone.

Ambassador William Sullivan: He could recall no information received on Sullivan's phone.

James W. McLain: He could recall no information received on McLain's phone.

Helmut Sonnenfeldt. He could recall no information received on Sonnenfeldt's phone.



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FEDERAL BUREAU OF INVESTIGATION

~~CONFIDENTIAL~~

May 11, 1973

[redacted] Special Agent (SA), Newark Division, advised that he entered on duty as an SA in October, 1970; however, prior to that time he was assigned as a monitoring clerk of telephone surveillances (wiretaps) in the Washington Field Office (WFO) during 1969 until the time he entered on duty as an SA. He recalls that sometime in 1969, exact dates not recalled, he was instructed by Supervisor Ernest Belter, now retired, that the WFO was instituting a special wiretap project. He was told that the two clerks who would be permanently assigned to this project would be

[redacted]; however, [redacted] would relieve these gentlemen on the 4:00 PM to 12:00 midnight shift on occasions. [redacted] stated he worked the 4:00 PM to 12:00 midnight shift exclusively.

He was instructed that the White House was extremely interested in determining if information was being furnished by certain members of the White House staff to unauthorized individuals. He was instructed by Belter that only one copy would be made of the logs. He would not initial the logs, and all logs would be sealed in an envelope each day and hand carried either to Belter or Supervisor [redacted]. All tapes used to record data obtained from the wiretaps would be erased. [redacted] knew this procedure was unusual as it was standard procedure to initial all logs and to make at least four or five copies and to always maintain at least one copy for future reference. He knew that this project was a "need-to-know" basis project and at no time did he ever observe any Special Agent in Charge or Assistant Special Agent in Charge receiving copies of the logs or reviewing them. He received the definite impression that the data being collected was being furnished by the FBI to General Haig; however, he could not explain his reasons for this impression.

He recalls that wiretaps were placed on the following individuals:

Henry Brandon
Dr. Morton Halperin
Tony Lake
Daniel Davidson
William Safire
Colonel Robert Pursley

Marvin Kalb
Ambassador Richard F. Pedersen
John Patrick Sears
Richard Moose
Helmut Sonnenfeldt

Interviewed on May 8, 1973 at Washington, D. C. File #

by SA Joseph E. Ziel and
SA [redacted] gms

Date dictated May 11, 1973

~~CONFIDENTIAL~~

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~~CONFIDENTIAL~~

He furnished the following data which is to the best of his recollection and which he overheard as a result of his work on the monitoring surveillances.

Henry Brandon: [redacted] believes Brandon was a reporter either stationed in London or New York and he had irregular hours as he would make telephone calls at all hours of the night and day. Brandon was writing a book on the Vietnam war and he was also [redacted] who was involved in the socialite world in Washington, D. C.

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[redacted] He could not recall any details of Brandon's discussions with other individuals during the period of 1969 up until the time he left in October, 1970, but he knew the wiretap on Brandon was maintained longer than anyone else on the list.

OTHER

Dr. Morton Halperin: Appeared to be a writer and, [redacted]

William Safire: He recalls that President Nixon contacted Safire either in late 1969 or early 1970 and discussed a speech Safire had written for the President.

The following individuals are recalled only by name, and he stated he could furnish no details of any conversations overheard involving these people:

Tony Lake

Daniel Davidson

Colonel Robert Pursley

Marvin Kalb

Ambassador Richard Pedersen

John Sears

Richard Moose

Helmut Sonnenfeldt

To the best of his knowledge he does not recall overhearing any conversation which he would consider himself as a breach of the national security.

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Order

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 15, 1973~~CONFIDENTIAL~~

SA Robert P. Finzel, Supervisor, Intelligence Division, advised that during Spring or mid-1969, while assigned to Washington Field Office (WFO); he was placed on special assignment in the monitoring room of WFO. The assignment lasted for about 30-60 days. He thinks he was briefed by Supervisor [redacted] and the assignment related to a suspected leak in the White House office of Dr. Henry Kissinger's staff. Also working on this project were SAs Robert Feuer, [redacted] and Clerk (First Name Unknown) [redacted]

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Finzel recalled monitoring the telephone surveillances on the residences of Henry Brandon, London Sunday Times; Morton Halperin, National Security Council (NSC); Daniel Davidson, NSC; Hedrick Smith, New York Times; Richard Moose, NSC; Helmut Sonnenfeldt, NSC; John Sears, White House employee; and possibly Tony Lake, NSC.

Finzel did not recall any specific telephonic information of substance which he considered to be a leak; however, on one occasion an

[redacted]

Hedrick Smith (New York Times) was in frequent conversation with [redacted]

OTHER

[redacted]

On one occasion Finzel recalled that [redacted]

[redacted]

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Order

Interviewed on May 11, 1973 at Washington, D. C.

File #

by SAs Francis M. Mullen, Jr. and

~~CONFIDENTIAL~~Date dictated May 15, 1973

Newell S. Irwin, Jr. :bhg

OTHER

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~~CONFIDENTIAL~~

[REDACTED]

Finzel advised he prepared a single log on each telephone surveillance which was picked up each morning by either SA [REDACTED] or SA Dudley Payne and delivered to William C. Sullivan.

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On one occasion Finzel said he participated in a physical surveillance of [REDACTED] with SA Ronald Carpenter. The Agents followed [REDACTED] from the White House to his northern Virginia apartment just off the beltway in Fairfax County. Nothing of significance transpired during the surveillance. In that instance a surveillance log was prepared by the Agents and allegedly turned over to SA Supervisor [REDACTED]

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 15, 1973

Mr. Robert G. Kunkel, currently Special Agent in Charge (SAC) of the St. Louis Office and formerly SAC of the Washington Field Office (WFO) from 7/28/70 to 10/27/72, was interviewed concerning any knowledge he may have had regarding telephone surveillances of White House officials or members of the news media. Mr. Kunkel had no knowledge of any such surveillances while he was SAC at WFO.

Mr. Kunkel advised that when he was named as SAC of WFO, former Director Hoover told him to look into the telephone surveillance program from a personnel standpoint to insure that only competent, stable individuals were assigned to these duties. Mr. Kunkel replaced Mr. Edward Tully as SAC at WFO and, upon assuming his new duties, held a conference with Mr. Tully at which the main subject of discussion was evaluation of personnel. The matter of telephone surveillance was not discussed.

Regarding telephone surveillances, Mr. Kunkel stated that while he was aware of telephone surveillance activity conducted at WFO, he was very seldom aware of specific individuals involved. He was allowed to observe a list of individuals on whom telephone surveillance was conducted and this list contained the names of pertinent White House officials, members of the news media and State Department officials, etc. Mr. Kunkel advised that he had absolutely no information regarding telephone surveillance of these individuals.

Mr. Kunkel advised that he would occasionally approve letters to the telephone company authorizing them to furnish leased lines for telephone surveillance purposes. These would be signed by Mr. Hoover and were hand carried to the telephone company. This would enable the telephone company to start billing and the letters did not identify any subjects of telephone surveillance.

Mr. Kunkel could recall no calls or conferences with Mr. Sullivan, Mr. Brennan or Mr. Sizoo regarding the telephone surveillance matters at

Interviewed on May 11, 1973 at Washington, D. C. File # _____

by Special Agents Newell S. Irwin, Jr., and Date dictated May 15, 1973

by Francis M. Mullen, Jr. :bhg

65-75083-20

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issue. He could recall only one conference at which Mr. Mardian was present and that conference involved only the Capitol Bombing case.

Regarding his lack of awareness of all telephone surveillance activities, Mr. Kunkel advised that this was only one facet of WFO operations and he was concerned with the overall operation of the office with its many attendant problems. He advised that it was not unusual for an FBIHQ Division to deal directly with field supervisors in investigative matters without the knowledge of the SAC. Mr. Kunkel attributed this to the unique situation wherein WFO is located in Washington, D. C., as is FBIHQ.

Mr. Kunkel advised that SA or SA Ernest Belter would be the most knowledgeable individual regarding telephone surveillance matters at WFO.

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FEDERAL BUREAU OF INVESTIGATION

DECLASSIFICATION AUTHORITY DERIVED FROM:
FBI AUTOMATIC DECLASSIFICATION GUIDE
DATE 09-19-2011

Date of transcription May 14, 1973

~~CONFIDENTIAL~~

Former Assistant Director and former SAC, Washington Field Office (WFO), Joseph Purvis, retired, advised that to the best of his recollection in the Summer or early Fall of 1969 while he was SAC at WFO, Supervisor [] advised him that a request had been received from Assistant Director William C. Sullivan to initiate a wiretap on Henry Brandon of the London Times. [] advised Purvis that the White House was attempting to identify leaks from the White House and that the request for the wiretap was from the White House. Purvis stated he was never informed of the identity of the person in the White House who made the request or to whom in the FBI the request was made. Purvis advised [] he could recall no statutory authority for this kind of coverage and told [] he would not allow it unless he had written authority from the Bureau to do so. Purvis instructed [] to advise Sullivan of his objections and recommendations and told [] not to initiate the project without official Bureau authority after his (Purvis') objections were made known to Sullivan. Purvis was subsequently advised by [] that Sullivan said it was an official Bureau instruction and that Purvis' objections had been made known to Sullivan. [] also told Purvis that there would be no official communication from the Bureau and that no official record of the wiretap was to be maintained.

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Purvis said he thought [] summarized results of the wiretap and hand carried same to Sullivan per Sullivan's instructions. Purvis never asked for, nor did he see, any logs or summaries of this wiretap.

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A short time later [] advised Purvis of another request for wiretap coverage on a New York Times reporter, name unrecalled, for this same project. Purvis said he acquiesced on the basis of Sullivan's previous oral instructions. Purvis advised that he knew of no other installations and if there were any, [] had not called them to his attention.

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Purvis stated that he never discussed this project with Sullivan either before or after leaving WFO in May, 1970, at which time Purvis was of the opinion the wiretaps were still in effect. Purvis believes he probably discussed this operation with only one other person, his ASAC, Ed Campbell.

Interviewed on May 11, 1973 at Savannah FBI Office, Savannah, Georgia File #
by SA Joseph E. Ziel and SA []:gms
802 ~~CONFIDENTIAL~~ May 11, 1973

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 14, 1973~~CONFIDENTIAL~~

ASAC Edward L. Campbell, currently assigned to the FBI Academy at Quantico and formerly ASAC at Washington Field Office (WFO) from 4/13/69 to 1/29/73, was interviewed concerning his knowledge of any telephone surveillance of White House officials, members of the news media or State Department officials, etc., during his tenure at WFO.

Mr. Campbell advised that he had no knowledge of any such surveillance activity. He stated that he was generally responsible for criminal-applicant matters at WFO and did not handle any security-type matters. Mr. Campbell stated that it was common practice for Mr. Sullivan, former Assistant to the Director, or other officials of the Intelligence Division, to deal directly with SA [redacted] regarding security matters. If there were any investigative activity regarding leaks at the White House, it was most likely handled in this manner.

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b7C~~SECRET~~Interviewed on May 11, 1973 at Washington, D. C. File # _____by SAs Newell S. Irwin and Date dictated May 11, 1973
Francis M. Mullen, Jr. :bhg

FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 12, 1973

~~CONFIDENTIAL~~

Miss [redacted] former FBI employee (September, 1959 - August, 1970), assigned prior to her resignation in the office of former Assistant to the Director Cartha D. DeLoach, furnished the following information to the best of her recollection:

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Miss [redacted] vaguely recalls having typed "a few" letters to the Attorney General requesting approval for wiretap installation but could not recall any details surrounding such assignments. She stated to the best of her recollection, these requests were usually prepared by someone in the Domestic Intelligence Division (DID) of the FBI. She could not recall the circumstances surrounding her having prepared "a few" of these requests, nor could she recall dates or persons involved.

She stated that although the name Michael Rozamus was vaguely known to her, she could not specifically place this person other than to say he was an FBI Supervisor. She does not recall ever having taken dictation from Rozamus.

Interviewed on May 11, 1973 at Stamford, Connecticut File # _____
by SA Nick F. Stames and
SA Garry Owen Watt:gms Date dictated May 11, 1973

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FEDERAL BUREAU OF INVESTIGATION

Date of transcription May 16, 1973

~~CONFIDENTIAL~~

Mr. Clyde A. Tolson, former Associate Director of the FBI, was interviewed at his home, 4936 30th Place, N. W., Washington, D. C., concerning his recollection of the events surrounding the placing of certain electronic surveillance installations on newsmen and staff assistants on the National Security Council or otherwise highly placed in the Executive Branch of the Government during the period 1969 - 1971.

Mr. Tolson advised that he is unable to recall exactly how this began during the early part of 1969, but believes it was instituted upon the request of someone at the White House, possibly Dr. Kissinger and/or Colonel Haig either directly to Mr. Hoover or relayed through then Assistant Director W. C. Sullivan. He stated he is unable now to recall any of the names of the individuals upon whom the installations were placed from time to time during this approximately two-year period. He said he is absolutely confident that Mr. Hoover demanded written authorization from Attorney General John Mitchell on each and every such installation inasmuch as over the years Mr. Hoover adamantly insisted upon such authorizations and he recalls Mr. Hoover mentioned in these instances that he was obtaining such authorization. Mr. Tolson further advised that to his recollection he never saw any of the formal correspondence dealing with these installations inasmuch as Mr. Hoover dealt directly with Sullivan on these matters and would have dictated any correspondence or necessary documentation to either [redacted] or [redacted] in his office. He added that Edna Holmes, also formerly in the Director's office, would probably have performed some services for Director Hoover in connection with these matters.

He pointed out that in the late Summer and early Fall of 1971 he was quite ill and was completely absent from the Bureau for a period of time and then came in only for a few hours a day for a longer period of time during this general period of September - October, 1971. While he recalls Mr. Hoover telling him of the abstraction of FBI records pertaining to these electronic surveillances, he was not personally involved in the inquiries conducted by Mr. Felt which resulted in determination that Sullivan had taken all FBI records relating to this particular series of wiretaps and had them delivered to former Assistant Attorney General Robert Mardian by Charles D. Brennan. He also recalls Mr. Hoover telling him that he, Hoover, was informed by

Interviewed on 5/13/73 at Washington, D. C. File # _____

by Assistant Directors W. B. Soyars Date dictated 5/16/73
and L. M. Walters:wmi

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65-75055-20

~~CONFIDENTIAL~~

Attorney General John Mitchell that all of these FBI records had been destroyed by Mardian. He has no knowledge as to whether this conversation was by telephone or personal meeting nor when it took place. Mr. Tolson said also he has no recollection whatever of confirming letters sent by Hoover to Attorney General Mitchell and to Mr. Haldeman at the White House reciting the conversation wherein Mitchell told Mr. Hoover that the FBI records had all been destroyed. Mr. Tolson added that he does not know of his knowledge or recollection that such letters were in fact sent, and if they were, he would have no idea where the official FBI file copies of them might now be located other than in Mr. Felt's office (Mr. Tolson's former office). Mr. Tolson added that he is sorry he cannot shed further light upon this matter but in view of his physical condition at the time these events occurred, he simply was not privy to the day-to-day activities culminating in Sullivan's departure from the Bureau. He pointed out that, of course, this was only one of the instances of Sullivan's open acts of insubordination to Director Hoover and his treachery and gross dereliction of duty discovered in the last few months of Sullivan's presence in the FBI.

~~CONFIDENTIAL~~

FEDERAL BUREAU OF INVESTIGATION

~~SECRET~~
Date of transcription 5/14/73
~~CONFIDENTIAL~~

From 4:50 p.m. to 5:35 p.m. on 5/11/73 a review was made of records concerning electronic surveillances in the office of the Attorney General, U.S. Department of Justice. These records are maintained in a four-drawer safe-type filing cabinet and occupy two full drawers. This search was conducted in an effort to locate certain documents which were missing from the files of the FBI.

Mr. Ruckelshaus reviewed a loose leaf binder containing FBI quarterly reports regarding electronic surveillances in operation during the period January, 1969, through July, 1971. Mr. reviewed the remainder of the contents of the cabinet.

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Nothing of pertinence was noted.

Interviewed on 5/11/73 at Washington, D. C. File #
by SA Acting Director William D. Ruckelshaus and Date dictated 5/14/73

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one had spoken to you like this before, it would not have been necessary to do so now."

Hoover ordered Sullivan to take sick leave, but the assistant director told Hoover he would have to "take action" to force him to leave.

Sullivan went on vacation within a few days of sending the letter (on Aug. 28, 1971), and when he returned, he discovered that the lock on his door had been changed. His name was off the door. There was a new assistant director.

Sullivan, who was raised on a farm and was a member of the Bolton School Committee, was in charge of all FBI domestic and international investigations at the time of his sudden departure. Years before his break with the boss, Hoover had mentioned him as a possible successor.

The conflict between the two men developed gradually, as Sullivan increasingly opposed what he considered Hoover's tyranny, his refusal to modernize the bureau, his political

maneuvering and misdirected emphasis on Communism as the major threat to national security.

"You couldn't trust the guy," Sullivan said. "I'm no doctor, I can't make a judgment, but he had an unusual personality. In the last three years you couldn't depend upon him. He became extremely erratic."

"He'd call you in, and he'd give you wild talk. If you crossed him, he'd go into a rage. He had everyone frightened. It was awful. They (some of the administrators) were playing him. It was a tremendous game."

"They were playing him for raises and promotions. You couldn't give him enough flattery. In July, I

decided to pursue a collision course," Sullivan said. "I wanted to bring all of this to a head."

"I had three choices. I could stay and accept all the evilness. I could shake his hand and say, 'Please let me retire,' and they would have given me a party. Or I could go out in a storm. Time will tell whether my choice was correct."

Sullivan told Hoover his letter was written "for your own good and for the FBI." He reminded Hoover of his many commendations and how he and others in the bureau had placed the work of the FBI above personal considerations. He said he had carried out Hoover's orders even when he disagreed with him.

"During the past year in particular," Sullivan told Hoover, "you have made it evident to me that you do not want me to disagree with you on anything. You claim that you do not want 'yes men,' but you become furious at any employee who says 'no' to you."

Referring to their difference of opinion about the Communist threat, Sullivan said: "You know as well as I do that the Communist Party in the USA is not the cause of and does not direct and control the unrest and violence in this nation."

Sullivan told Hoover he had been wrong in not allowing agent John F. Shaw to resign "without prejudice" in 1971. Shaw, then a student at the John Jay College of Criminal Justice in New York, wrote a letter to a professor criticizing Hoover and the FBI in some areas and defending them in others.

Hoover transferred Shaw from New York to the Butte, Mont., FBI office — the Siberia of the

bureau. Shaw decided to resign because of his wife's illness, and Hoover accepted the resignation "with prejudice." Shaw sued to remove the stigma and collected \$13,000 which Sullivan said would not have been necessary if Hoover had acted otherwise.

Sullivan told Hoover his letter was not intended to anger the director, but was an attempt "to get across to you in my blunt, tact-

less way that a number of your decisions this year have not been good ones and that you should take a cold, impartial inventory of your ideas, policies, etc."

He told Hoover he did not want Hoover's reputation or that of the FBI destroyed by Hoover's decisions and that the director should "go out in a blaze of glory" when he retired.

"In view of your absolute power, you can fire me or do away with my position or transfer me or in some other way work out your displeasure with me," Sullivan said.

"So be it. I'm fond of the FBI and I have told you exactly what I think and as you know I have always been willing to accept the consequences of my ideas and actions."

The result was Sullivan's retirement.

Because Hoover was "not of sound mind," Sullivan said, records of wire-taps involving a number of newsmen and Administration officials suspected of news leaks affecting foreign policy were kept from Hoover.



WILLIAM C. SULLIVAN
"time will tell"

(Mount Clipping in Space Below)

Mr. Baker _____
 Mr. Callahan _____
 Mr. Cleveland _____
 Mr. Conrad _____
 Mr. Gebhardt _____
 Mr. Jenkins _____
 Mr. Marshall _____
 Mr. Miller, E.S. _____
 Mr. Soyars _____
 Mr. Thompson _____
 Mr. Walters _____
 Tele. Room _____
 Mr. Kinley _____
 Mr. Armstrong _____
 Mr. Bowers _____
 Mr. Herington _____
 Ms. Herwig _____
 Mr. Minto _____

Hoover erratic in last years, former aide says

By Richard Connolly
Globe Staff

The man who stood up to the late J. Edgar Hoover and suffered the inevitable consequences — forced retirement from the third highest position in the FBI — has finally revealed the events which preceded the clash.

Former Asst. FBI Director William C. Sullivan, who spent 30 years in the bureau, had maintained public silence since the fall of 1971 when he

returned from vacation and discovered that Hoover had ordered Sullivan's name removed from his office at headquarters and had chosen a new assistant.

Sullivan, a native of Bolton, Mass., and now a resident of Sugar Hill, N. H., had declined to discuss his departure from the FBI because he felt details might tarnish the image of the bureau.

But developments in Washington in the past few days, including discovery at the White House of missing FBI wiretap records involving newsmen and Administration officials, have prompted Sullivan to reflect on his final encounter with Hoover.

Ironically, the 61-year-old Sullivan, now a special assistant attorney general in charge of the Justice Dept.'s newly created Narcotics Intelligence Center in Washington, has been under consideration by the Nixon Administration as successor to Hoover.

He was a candidate for the FBI post before and after the brief administration of Acting Director L. Patrick Gray.

One of Sullivan's biggest stumbling blocks was H.R. Haldeman, who recently resigned from his influential White House position. Haldeman was reported to have told President Nixon that Sullivan was "too independent" to be head of the FBI.

Sullivan, an intellectual who was one of the FBI's most liberal administrators, said Hoover appeared to have been "stark, raving mad" in recent years. He said Hoover became incensed when Sullivan sent him a letter in August 1971 questioning a number of Hoover's decisions and urging that he take "a cold, impartial inventory" of his ideas.

Sullivan infuriated Hoover when he said the FBI needed more public exposure and that Hoover's successor should not have "such absolute power, for we humans are simply not saintly enough to handle it properly."

He criticized Hoover for not encouraging divergent viewpoints and for surrounding himself with "yes men," "rubber stamps," "apple polishers," "flatterers," "self-promoters" and "timid, cringing sycophants."

Hoover summoned Sullivan to his office. "His hands were shaking. His face was clouded. He was raving mad," Sullivan said.

He quoted Hoover as saying: "No one has ever spoken to me like this since I became director in 1924."

"Mr. Hoover," Sullivan said, he replied, "I some-

JUNE

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Specov

(Indicate page, name of newspaper, city and state.)

— THE BOSTON HERALD
AMERICAN
BOSTON, MASS.

— THE BOSTON GLOBE
1 BOSTON, MASS.

Date: 5/17/73
Edition: Morning
Author: Richard Connolly
Editor: Thomas Winship

Title:
WILLIAM C. SULLIVAN

Character:
or

Classification: 67-

Submitting Office: BOSTON

☐ Being Investigated

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JUN 4 1973

UNITED STATES GOVERNMENT

~~TOP SECRET~~

Memorandum ROUTE IN ENVELOPE

TO: MR. MILLER *EM/TSS*

DATE: 5-22-73

FROM: W. M. FELT

SUBJECT: SENSITIVE COVERAGE FOR THE WHITE HOUSE

DECLASSIFIED BY 2842 *Donna Jones*

ON 6/29/81 12-17-82

Mr. Felt _____
Mr. Baker _____
Mr. Callahan _____
Mr. Cleveland _____
Mr. Conrad _____
Mr. Gebhardt _____
Mr. Jenkins _____
Mr. Marshall _____
Mr. Miller, E.S. _____
Mr. Soyars _____
Mr. Thompson _____
Mr. Walters _____
Tele. Room _____
Mr. Baise _____
Mr. Barnes _____
Mr. Bowers _____
Mr. Herington _____
Mr. Conmy _____
Mr. Mintz _____
Mr. Eardley _____
Mrs. Hogan _____

In connection with the sensitive wiretaps which were conducted for the White House in 1969-71, Mr. Ruckelshaus has requested a separate analysis as follows:

Anticipating the probable need to answer pertinent questions before a Congressional committee, he wants to know the answers to these questions:

- (1) Who requested each wiretap. Original impounded by court order. See memo in 63-16062-13 *from*
- (2) Who authorized each wiretap.
- (3) The length of time each wiretap was continued.

These items should not be considered as restrictive and you should attempt to anticipate other questions which might be raised by a Congressional committee and to furnish the answer which we would be required to make at that time.

Mr. Ruckelshaus also desires that we make an analysis of the information obtained in each wiretap in an attempt to determine whether or not any significant information was obtained. It is realized that because we were only providing a service for the White House and did not necessarily have background information we may not be able to make such an evaluation in many if not all of these cases.

Where we do not have the answers to the questions and where we are not able to evaluate the productivity of the wiretap, set forth the reasons why we are unable to provide the answers. Obviously, if we do not possess the information we do not have the answer and, similarly, where we are not in possession of all the facts known to the White House, we may not be able to make a complete evaluation.

WMF:crt
(2)

File 5-TSS

JUL 23 1973

ROUTE IN ENVELOPE

~~TOP SECRET~~

JUL 23 1973